

Government of the Empire State



Georgia's state government, like our federal government, has three branches: executive, legislative, and judicial. The tasks of these branches are, in many ways, like those branches of the federal government. That is, the executive branch enforces laws, the legislative branch enacts laws, and the judicial branch interprets laws. And, like the federal government, Georgia's local and state governments together are a massive enterprise providing employment for many of Georgia's citizens.

Chapter Preview

Georgia character word:
Perseverance

Terms: governor, lieutenant governor, public regulation, felony, misdemeanor, supreme court, court of appeals, trial courts, jurisdiction, grand jury, trial jury, truancy, juvenile

Section 1 The Executive Branch of State Government

Section 2 The Legislative Branch of State Government

Section 3 The Judicial Branch of State Government

Section 4 Young People and the Law

Left: The Georgia State Capitol building in Atlanta houses the General Assembly, the governor's office, the State Museum of Service and Industry, and the Hall of Flags. **Below:** The Georgia Governor's Mansion in Atlanta was built in 1967.



Signs of the Times

Georgia Population: 8,186,453 according to 2000 census

Life Expectancy: 74.9 years

Cost of Living: Georgia median household income is \$42,433

Literature: Sixteen Georgia writers have been inducted into the Georgia Writers Hall of Fame: Conrad Aiken, Erskine Caldwell, Harry Crews, James Dickey, W.E.B. DuBois, Joel Chandler Harris, John Killens, Martin L. King, Jr, Sidney Lanier, Augusta Longstreet, Carson McCullers, Margaret Mitchell, Flannery O'Connor, Bryon Herbert Reece, Lillian Smith, and Alice Walker.

Fads/Fashions: Attire for Georgia's legislators and government officials is formal, conservative business dress. Traditionally, the evening before the opening day of a General Assembly session, delegates and lobbyists gather for the Wild Hog Supper, a "pork pickin'" barbecue to celebrate the arrival of another session.

Art/Architecture: The Louisville Capitol building had "Georgian style" architecture. The Milledgeville Capitol was a Gothic style. Georgia's current Capitol is a Classical Renaissance style based on styles popular in Italy in the 1400s and 1500s.

Education: Georgia has 34 public colleges and universities, 180 public school systems, and 367 public libraries.

Music: A number of songs have our state name in the song title including "Georgia On My Mind," "Rainy Night in Georgia," "Sweet Georgia Brown," "Midnight Train to Georgia," "The Night the Lights Went Out in Georgia," and "The Devil Went Down to Georgia."

Religion: The Georgia constitution protects freedom of religion in Article I, Section 1, Paragraph IV: "No inhabitant of this state shall be molested in person or property or be prohibited from holding any public office or trust on account of religious opinions. . . ."

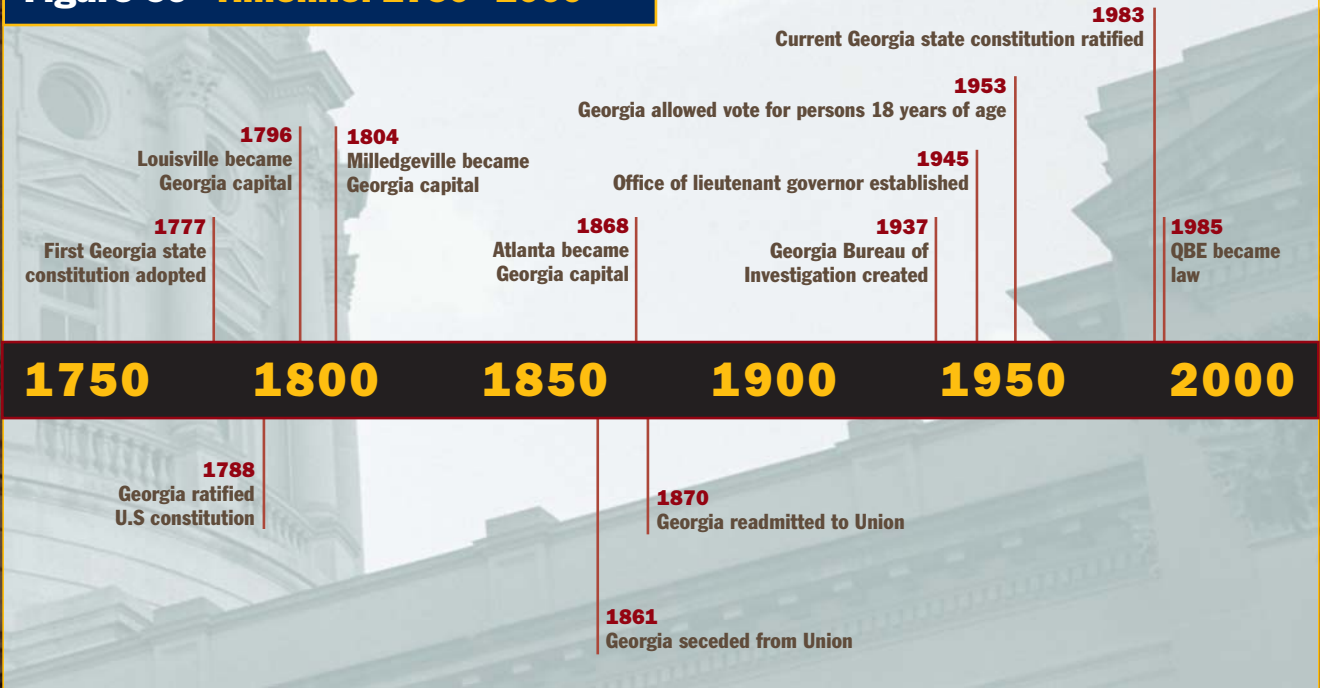
Leisure Time: Georgia recreational opportunities include 63 state parks and historic sites and 360 golf clubs. Leading spectator sports include auto racing, golf, football, baseball, basketball, and wrestling.

Transportation: Georgia has 1,244 miles of interstate highways and 18,000 miles of federal and state highways. The total road mileage in Georgia is 115,533. Georgia has 5,000 miles of railroad track and over 260 airports, eight of which are regional airports.

Science/Inventions: The first fiber-optic cable was manufactured in Georgia, and there are now over 500,000 miles of fiber-optic cable buried beneath the state's highways. The Georgia Statewide Academic and Medical Systems video network (GSAMS) connects over four hundred distance-learning and teleconferencing sites including state universities and colleges, medical schools, technical and adult education centers, and K-12 schools.



Figure 59 Timeline: 1750–2000



Section 1

Section Preview

As you read, look for:

- identify elected officials of the executive branch,
- list the duties and responsibilities of elected officials,
- identify nonelected members of the executive branch, and
- **vocabulary terms:** governor and lieutenant governor.



Above: Republican Sonny Perdue was elected governor of Georgia in 2002. He is seen here with the First Lady of Georgia, Mary Perdue.

The Executive Branch of State Government

Georgia was one of the original thirteen colonies and became a state after the American Revolution. Georgia adopted its first state constitution in 1777. In 1983, Georgians approved the state's tenth constitution. Even though there have been changes in the text of the various constitutions, the purpose of all of them has been the same. The state constitution declares:

To perpetuate the principles of free government, insure justice to all, preserve peace, promote the interest and happiness of the citizens and of the family, and transmit to posterity the enjoyment of liberty, we the people of Georgia, relying upon the protection and guidance of Almighty God, do ordain and establish this Constitution.

Georgia's constitution states, "All government, of right, originates with the people, is founded upon their will only, and is instituted for the good of the whole. Public officers are the trustees and servants of the people and are at all times amenable to them." In other words, any power the government has is given to it by the citizens and is for the good of everyone. Persons elected to public office in state government work for the people and are accountable to the voters for their actions.

The constitution further states: "The people of this state have the inherent right of regulating their internal government. Government is instituted for the protection, security and benefit of the people; and at all times they have the right to alter or reform the same whenever the public good may require it." Therefore, Georgia's government is meant to serve the people, and the constitution allows the people to change the government when it fails to serve their needs.

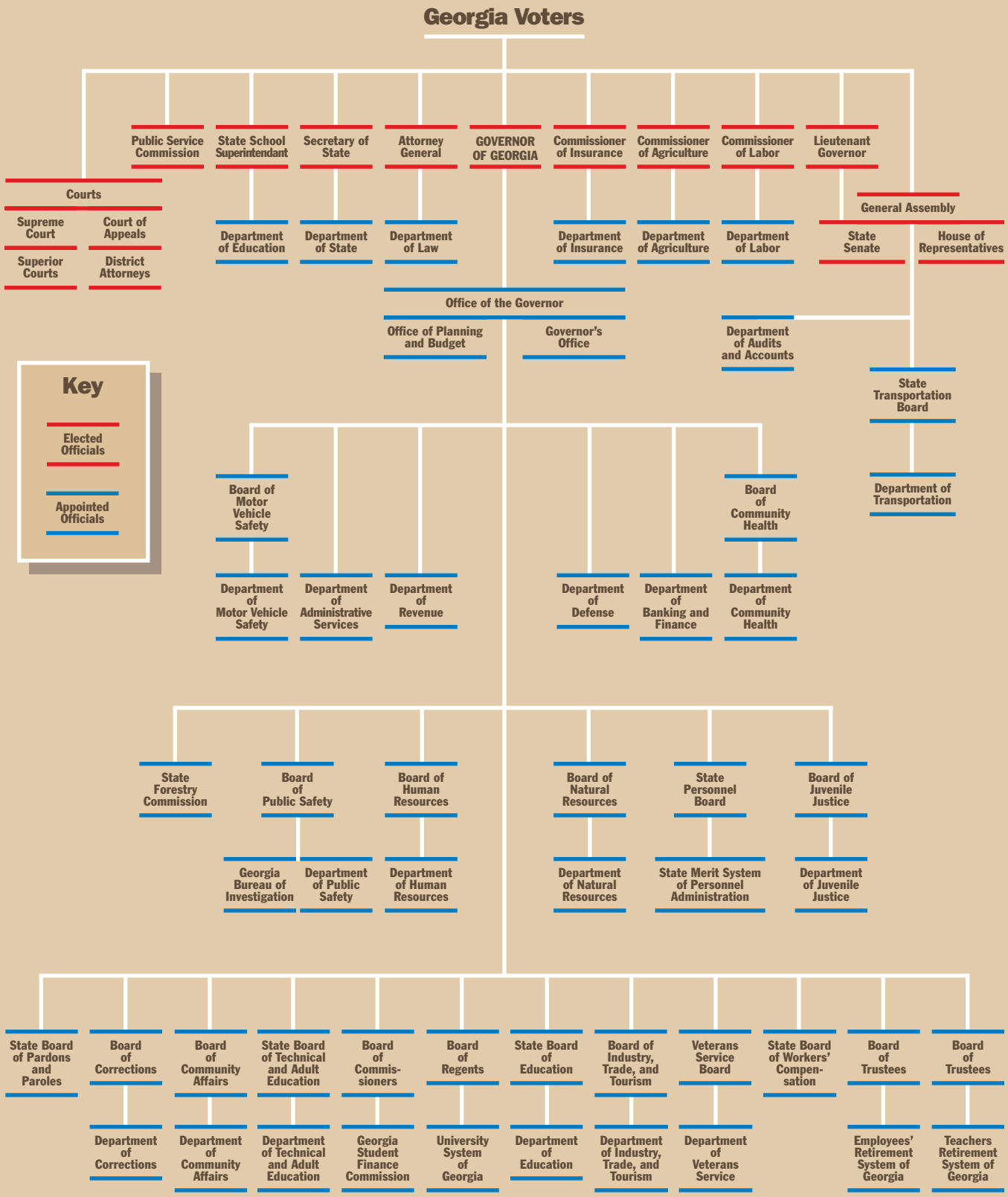
The constitution gives voters the right to control state government by electing state officials. Citizens also may suggest laws that might improve the way the state is governed.

The largest branch of state government is the executive branch. The **governor** is the chief executive officer of the state. The governor is elected by a majority of the popular vote for a four-year term. The constitution allows governors to serve two consecutive terms, so it is

Did You Know?

Based on the **2000 census**, almost **one-half million** of Georgia's **8.3 million** people **work for the state government**.

Figure 60 Georgia State Government



Key

Elected Officials

Appointed Officials

possible for one person to be the state's chief executive officer for eight years. After a second term, an individual has to wait four or more years before being able to run again.

The constitution also outlines the qualifications required to be elected as Georgia's chief executive. The candidate who wishes to become governor must be at least thirty years of age when taking office, a citizen of the United States for at least fifteen years, and a resident of the state for at least six years.

If the governor dies or resigns, the lieutenant governor becomes the state's chief executive officer until the next general election for members of the General Assembly. At that time, an election is held to choose someone to complete the unexpired term of the governor who died or resigned.

Should both the governor and the lieutenant governor die or resign from office in the midst of a term, the speaker of the house of representatives serves as the chief executive until a new governor is elected.

Formal Powers of the Governor

The Georgia constitution describes the governor's formal powers. They can be classified as executive powers, legislative powers, and judicial powers.

Executive powers include being able to appoint state officials and making sure that civil and criminal laws are enforced.

Legislative powers include sending requests and messages to the legislature, signing bills into law, and being able to veto a bill so it does not become a law. The governor may also call special sessions of the legislature.

Judicial powers include being able to pardon persons convicted of crimes and appoint state justices to fill unexpired terms. Other formal powers are included in Figure 59.

Informal Powers of the Governor

Georgia's governor also has many informal powers. Some are the result of tradition and custom; others are necessary to enforce the formal powers.

Sometimes, the governor's informal powers may seem more important than the formal powers. But a governor's greatest influence is through his or her power to appoint individuals to boards and executive offices. For example, Governor Joe Frank Harris, who served from 1983 to 1990, appointed all fifteen members of the Board of Regents (the board that controls the University System of Georgia and all public colleges and universities). He named

Figure 61 Formal Powers of the Governor

Formal powers of the governor include:

- managing the state's budget (the plan for receiving and spending money),
- directing the attorney general to act as a representative of the state in lower court cases involving state law,
- making an annual "State of the State" address to the legislature,
- preparing budget bills for consideration by the Georgia house of representatives,
- serving as commander-in-chief of the Georgia National Guard,
- heading the state's civil defense units, and
- sending Georgia Highway Patrol officers and the Georgia Bureau of Investigation into communities in times of danger.

Did You Know?

The Georgia Bureau of Investigation was created in 1937. It was first called the Division of Identification, Detection, Prevention and Investigation.

all ten members of the state Board of Education (the board that controls public elementary and secondary schools of the state). He also named a State Superintendent of Schools to complete an unexpired term.

In addition, he appointed a panel of business leaders, legislators, and citizens to write a legislative package called Quality Basic Education (QBE). When this package became law in 1985, it affected all public school students in Georgia. For example, an eighth-grade student in Ocilla has the same study objectives as an eighth-grade student in Columbus. Today, this standard state curriculum is called the Georgia Performance Standards. In several grades, all students take a state-prepared test during the spring. First-time teachers in the state of Georgia must pass tests during their first three years of teaching to show they are able to instruct students. This legislation also changed the way school systems are funded. In these ways, Governor Harris and his appointment powers had a great effect on education all over the state.

Office of Lieutenant Governor

The executive branch of state government also includes the office of **lieutenant governor**. The lieutenant governor is elected by popular vote at the same time the governor is elected. The lieutenant governor must meet the same qualifications for office as the governor. However, unlike the governor, the lieutenant governor can serve an unlimited number of consecutive terms in office. For example, Zell Miller served four consecutive terms as lieutenant governor.

In the event of a governor's death, resignation, or impeachment, the lieutenant governor becomes the state's chief executive. The lieutenant governor also serves as the chief executive officer when the governor is out of the state.

The lieutenant governor is the presiding officer of the state senate. In that position, he or she makes senate committee appointments, assigns senate bills to committees, and recognizes members of the senate who wish to speak. Because of these powers, the lieutenant governor may affect the passage or failure of some senate bills.

Georgia's Other Elected Officials

The governor and lieutenant governor are not the only elected members of Georgia's executive branch. Voters statewide select the following officials: state

Figure 62 Informal Powers of the Governor

Informal powers of the governor include:

- communicating to the public a personal position on issues of interest to all Georgians,
- acting as honorary head of the political party that elected him or her to office,
- issuing proclamations to honor individuals, holidays, or special events and, with the legislature's approval, adding new state symbols,
- representing the state in meetings with other state officials, federal officers, or foreign dignitaries,
- meeting with business and industry leaders from other states or nations to encourage them to expand their businesses into Georgia,
- working with members of the legislature to get laws passed, and
- guiding state agencies.

Did You Know?

The office of **lieutenant governor** was created when the state constitution was rewritten in **1945**.

Figure 63 Georgia's Elected Officials

- **State attorney general** is the chief legal officer for the state and the head of the Department of Law.
- **Commissioner of agriculture** is the head of the Agriculture Department. The commissioner directs agricultural or agribusiness programs, maintains state farmers' markets, supervises services such as inspections, and expands market opportunities for Georgia agriculture.
- **Commissioner of labor** is the head of the Labor Department. The labor commissioner regulates the health and safety of workers, enforces state labor laws, administers unemployment insurance programs, and maintains statistical data on labor.
- **Commissioner of insurance** regulates insurance carriers and issues insurance licenses.
- **Public service commissioners** regulate utilities in Georgia and control the rates and services of transportation companies, telephone companies, and electric companies.
- **Secretary of state** maintains the state's official records, publishes laws passed by the legislature, supervises elections, appoints examining boards, grants corporate charters, and regulates securities, stocks, and bonds.
- **State school superintendent** is the head of the Department of Education. The superintendent directs statewide educational programs, enforces state education regulations and laws, administers state and federal education funds, certifies and licenses teachers and other educators, and approves textbooks for use in Georgia schools.

attorney general, commissioner of agriculture, commissioner of labor, commissioner of insurance, public service commissioners, secretary of state, and the state school superintendent.

All of these officials serve four-year terms of office, except for the five members of the Public Service Commission, who serve six-year terms.

Appointed Officials, Boards, and Commissions

In addition to the officials named in the Georgia constitution, there are a large number of government officials known as *statutory officials*. Their positions are not provided for in the state's constitution, nor are they elected officials. But their jobs are called for by statute (law). These officials are appointed either by the governor or by the head or directing boards of the department in which they serve. For example, the chief drug inspector is appointed by the commissioner of agriculture.

Another sector of Georgia's government are the boards and agencies that were created by the state constitution or by statute. Look again at Figure 60 on page 531. You can see that there are over thirty major agencies in our government. The State Board of Pardons and Paroles, the Board of Natural Resources, and the State Personnel Board are examples of governing boards created by Georgia's constitution. The Board of Human Resources and the Board of Public Safety were created by state statute. Members of most boards are appointed by the governor. Usually, board members have staggered terms of office so that the terms of all members do not expire at the same time.

Did You Know?

In 1997, Governor Zell Miller appointed Georgia's first black state attorney general, Thurbert E. Baker.

It's Your Turn

1. How many consecutive terms can a Georgia governor serve?
2. What are the three classifications of the governor's formal powers?
3. How does the lieutenant governor affect senate legislation?
4. Who is elected to head the Georgia Department of Education?

American Spotlight

Jimmy Carter

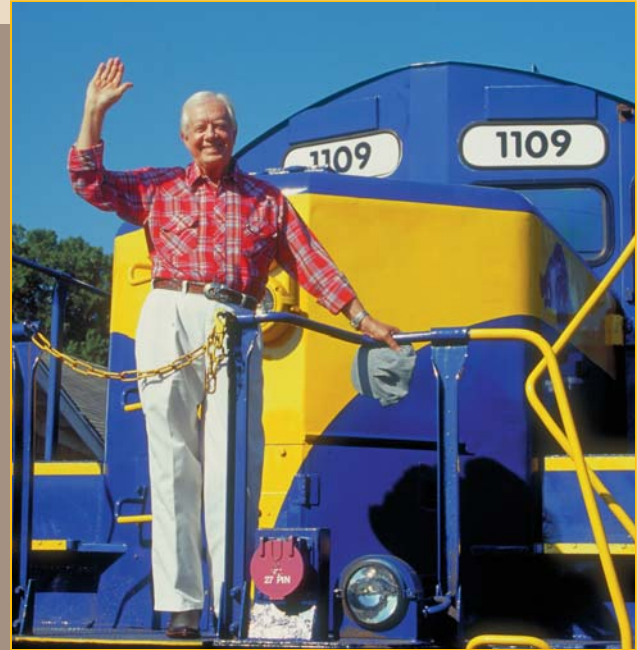
In the history of our nation, only one Georgian has served as president of our country—James Earl “Jimmy” Carter, Jr. Carter was born in Plains on October 1, 1924. He grew up on the family farm at nearby Archery and attended the public schools of Plains. In 1946, he married a neighbor, Rosalynn Smith. Carter graduated from the U.S. Naval Academy at Annapolis in 1946 and served in the Navy for seven years. In 1954, Carter resigned his Navy commission to return to Plains and take over the family’s warehouse and cotton gin businesses and a peanut farm.

In 1962, Carter was elected to the Georgia senate and elected governor in 1970. As governor, his emphasis was on ecology, efficiency in government, and the removal of racial barriers. He completely re-organized the state government and reduced the number of state agencies.

In 1974, Carter announced his candidacy for president of the United States and began a two-year campaign across the country. Few gave the unknown governor from Georgia much of a chance, but he campaigned tirelessly on a platform of revival and reform in the Democratic party. Carter defeated President Gerald R. Ford in November 1976 and served one term in office.

During Carter’s term as president, he established a national energy policy, completed major civil service reforms, expanded the national park system, deregulated the trucking and airline industries, and created the Department of Education. Carter also appointed record numbers of women, blacks, and Hispanics to government positions. However, domestic economic problems plagued his term. Inflation and interest rates were extremely high, and his efforts to reduce them created a short-term recession. Long gasoline lines and high prices made the public uneasy.

In foreign policy, Carter will probably be best remembered for the 1978 Camp David Peace Accords between Israel and Egypt, the first peace treaty between Israel and an Arab neighboring state. His perseverance in the face of obstacles to the peace efforts illustrate the Georgia character education term for this chapter. He obtained congressional



Above: Jimmy Carter waves from a train at Plains depot.

ratification of the Panama Canal treaties and established full diplomatic relations with the People’s Republic of China. He also championed worldwide human rights.

However, in 1979, militants took control of the U.S. Embassy in Iran and seized 52 Americans, holding them captive for fourteen months. Iran did not release the hostages until 1981 on the day that Carter left office.

Following his term as president, Carter returned to his native Georgia where he established, in partnership with Emory University, the Carter Center. The Carter Center is committed to human rights and the easing of human suffering. It attempts to resolve conflicts, enhance freedom and democracy, and improve health worldwide. Carter has been an active leader internationally since 1981 working to monitor free elections throughout the world and to work toward peace in resolving national conflicts. He received the Nobel Peace Prize in 2002 for his many efforts.

Section Preview

As you read, look for:

- the number of senators and representatives in the General Assembly,
- requirements for senators and representatives,
- committees in the legislature,
- how a bill is passed, and
- **vocabulary term:** public regulation.

The Legislative Branch of State Government

The Tenth Amendment to the U.S. Constitution states that “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.”

The Georgia state constitution grants law-making power to the legislative branch. Georgia’s legislature is officially known as the Georgia General Assembly. It was formed in 1777 as a one-house legislature. That makes it older than the Congress of the United States. In 1789, the Georgia General Assembly

was reorganized as a bicameral, or two-house, legislature with a senate and a house of representatives.

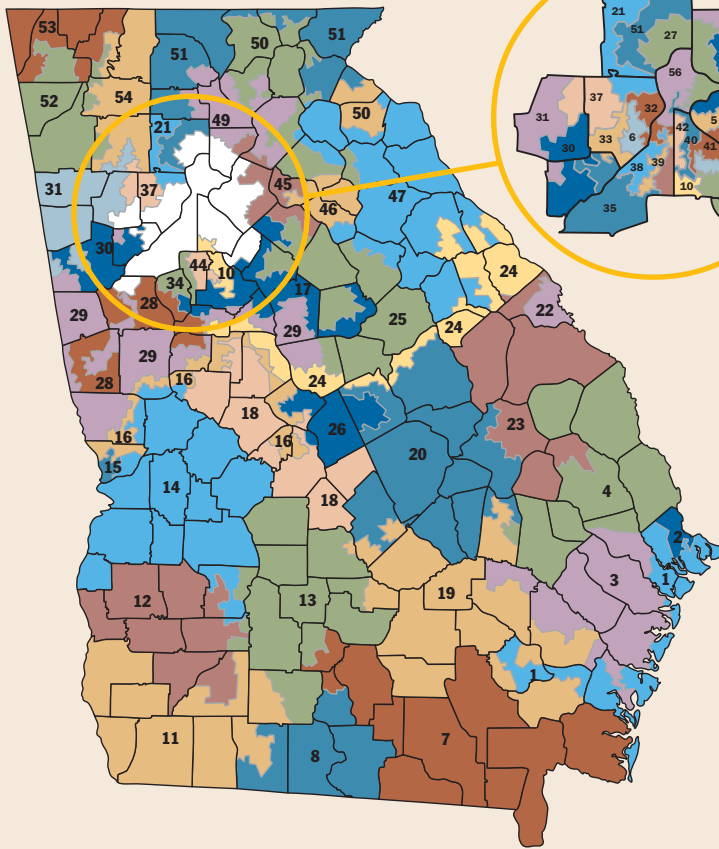
The house of representatives and the senate operate in similar fashion except for two important differences. Only the house of representatives can write appropriations (spending) bills. Only the senate can confirm appointments the governor makes to executive offices. Either house can propose and pass bills, and all bills must be approved by both houses before being sent to the governor.

Members of the General Assembly

There are 180 members of the house of representatives and 56 members of the senate. Members of the legislature are elected by popular vote to two-year terms of office. There is no limit on the number of terms a representative or senator can serve. Each of these members is elected by voters in a house or senate district. Equally important, each house district contains about the same number of

people as all of the other house districts. And each senate district contains about the same number of people as all the other senate districts.

At the time of their election, members of the senate are required by Georgia’s constitution to be at least twenty-five years of age, citizens of the United States, and citizens of Georgia for at least two years. In addition, they must have been legal residents of the district from which they were elected for at least one year.



Map 51
Georgia State Senate Districts

Map Skill: In which senate district do you live?

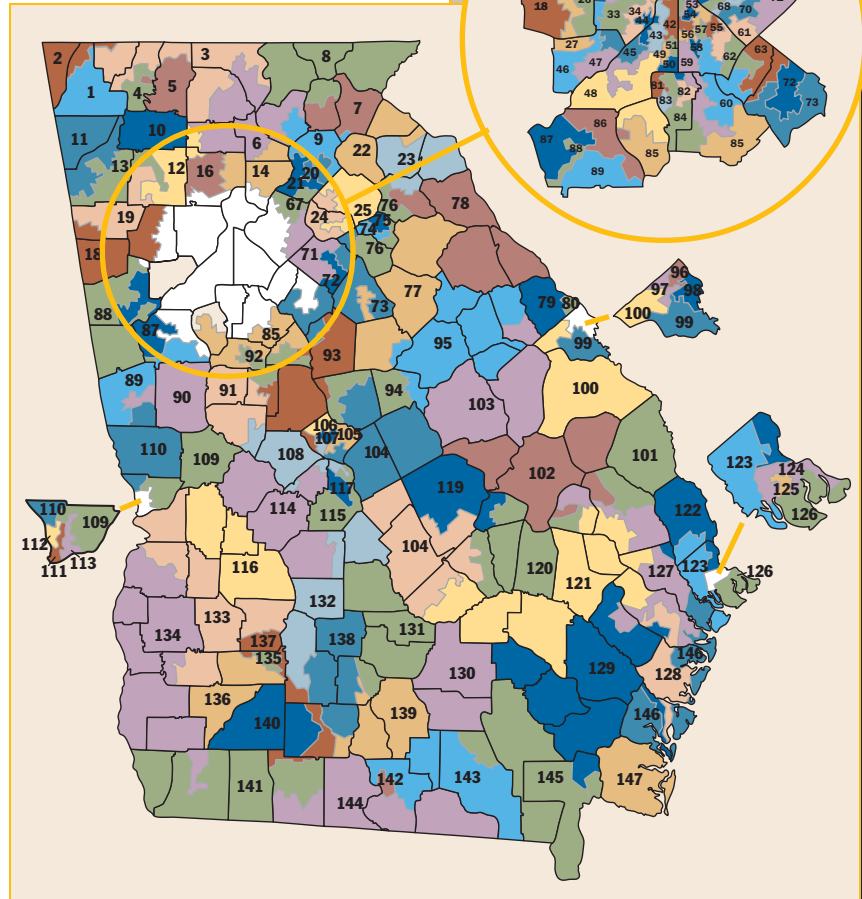
Members of the house of representatives must be at least twenty-one years of age, citizens of the United States, citizens of Georgia for at least two years, and legal residents of the district from which they were elected for at least one year.

Legislative Sessions

The Georgia General Assembly meets each year for a forty-day session, beginning on the second Monday in January. Breaks and recesses do not count as part of the forty days, so the sessions usually last until the middle of March.

The lieutenant governor presides over the senate. Members of the house of representatives elect a speaker as their presiding officer. The speaker, like the lieutenant governor, appoints committees and their chairpersons and assigns bills to those committees.

The lieutenant governor does not have a vote in the senate, but the speaker of the house votes when it is necessary to break a tie.



Committees

Like Congress, members of the Georgia house and senate are organized into committees. All bills must be reviewed by a house or senate committee before they can be brought to either the whole house or sent for a vote. The committee system makes it possible for members to study bills closely. There

Map 52 Georgia House of Representative Districts

Map Skill: In which house district do you live?

Figure 64 Powers of a Presiding Officer

A presiding officer has the power to

- determine the order of business,
- control debate,
- rule out proposed amendments to bills,
- enforce rules of procedure for the General Assembly,
- control meeting times and recesses of the General Assembly, and
- order a roll call vote on any issue.



Above: On the second Monday of January, the 180 members of the house of representatives meet in the house chamber for the start of the forty-day legislative session.

Did You Know?

The formal opening of the General Assembly begins with a ceremonial march of the representatives and senators down the stairways and into the house and senate chambers to begin their session.

would not be time for such study if each bill were discussed only by the entire house or senate.

Some committees are permanent, lasting from one session to the next. These are called *standing committees*. Some of the standing committees include the Ways and Means Committee, which handles bills involving taxes; the Appropriations Committee, which works on the budget; and the Judiciary Committee, which deals with bills concerning the state's laws and court system.

Other committees are organized for a special task and last only until their work is completed. One type of special committee is an *interim committee*, one that works on assigned issues and concerns between sessions of the legislature. Another special committee is the *conference committee*, which is appointed when the house and senate pass different versions of a bill. The conference committee is made up of three senators and three representatives. The committee takes the two versions and tries to write one bill that can be passed by both houses. A *joint committee*, another special committee, is made up of members from both houses and works on an assigned topic or issue.

A member of the Georgia General Assembly may serve on several committees. Committee chairpersons decide when their committees will meet. They choose the order in which assigned bills will be discussed and when the bills will be voted on.

Types of Legislation

The Georgia General Assembly can pass laws on any matter not denied it by the U.S. Constitution. It can amend state laws or do away with them. The General Assembly can pass legislation on such matters as taxes, education,

Spotlight on the Economy

Funding Georgia's Government

Like our federal government, Georgia must work each year from a budget that outlines sources of income for the state, called **revenues**, and plans for spending those funds, called **expenditures**. State budgets must often be adjusted during the year as economic conditions change.

Georgia basically works under three types of budgets—an original budget approved for a year, an amended budget, and a supplementary budget. The original budget is the first budget approved for a **fiscal year** (a budgetary spending year). An amended budget is one in which changes are made to add, delete, or transfer monies in order to keep Georgia's budget in line with state law. (Georgia's constitution requires that the state have a balanced budget, one that matches expenditures with revenues.) A *supplementary budget* is a change made in a budget to cover new spending when additional or unspent funds are available.

Georgia's revenues come from three basic sources—state funds, federal funds, and special fees collected by agencies. Most special fees are kept by the agencies that collect them. So Georgia's budget planners base their plans

on federal and state funding sources. Those sources include income taxes, sales taxes, other taxes and fees, lottery receipts, indigent care trust funds, and tobacco settlement funds. About 90 percent of Georgia's revenue comes from taxes. Georgians pay personal income taxes on salaries they receive as well as on interest, dividends, and any profits earned on rents. Corporations operating in Georgia also pay income tax on their profits. For 2004, as an example, individual and corporate income taxes were estimated at almost \$8 billion. Another large source of taxes is the state sales tax, which consumers pay on the goods and services they purchase. Estimates of sales tax revenues for the 2004 budget were \$4.7 billion. Special sales taxes are collected on motor fuel, cigar and cigarette products, and alcoholic beverages. These taxes are collected even before the products are sold to consumers. For the 2004 budget, special sales taxes were estimated to be \$1.1 billion.

What are those funds normally spent on? Most state monies are spent to provide services directly to Georgia's citizens. Figure 66 illustrates where Georgia's money goes.

Figure 65 Budget Revenues

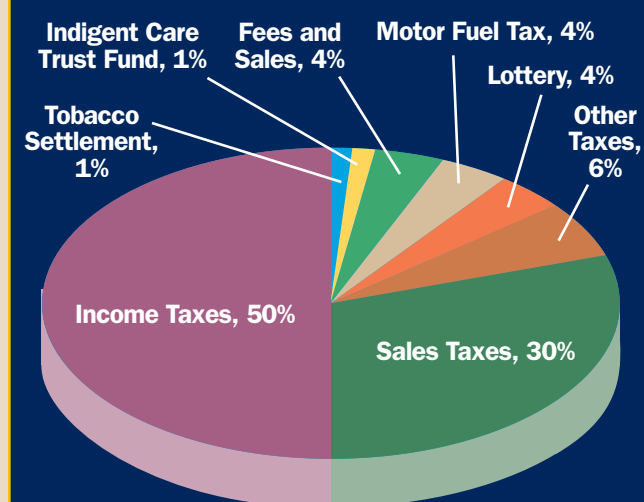


Figure 66 Budget Expenditures

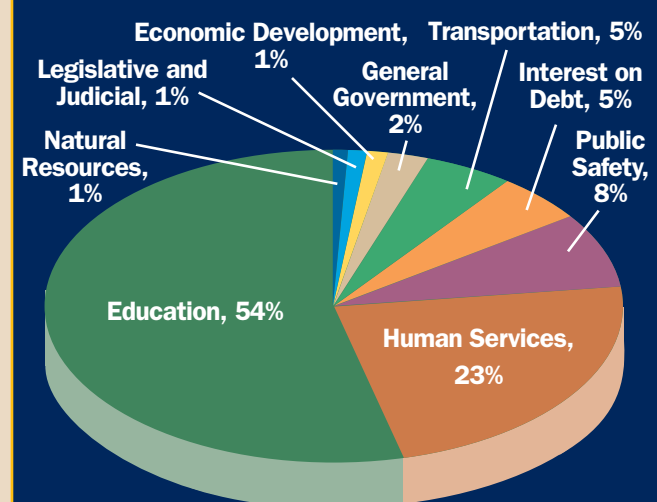


Figure 67

Nine Steps from Proposal to Law

Bills in the Georgia General Assembly go through almost the same steps as those in the U.S. Congress before they become law. Let us look at a bill that starts in the state house of representatives.

1. A proposal is written in legal language and turned in to the clerk's office. There it is given a name and number. For example, the twelfth proposal turned in to the clerk of the house of representatives during a session will be "H.R. 12." After the proposal is given a number, it is called a bill.
2. Copies of the bill are made for members of the house. The bill is then assigned to a committee.
3. The committee to which the bill is assigned may hold public hearings so that interested persons may speak for or against the bill. The committee may also ask legislative staff members to gather information about the bill. The committee studies the bill and discusses its good and bad points.
4. The committee assigned to handle the bill can do several things: (a) It can hold the bill and not release it to the house; (b) It can vote the bill out of committee and recommend that it be passed; (c) It can vote the bill out of committee and recommend that it not be passed; (d) It can make changes in the bill and vote the new version out for consideration by the house; and (e) in the house only, it can vote the bill out of committee with no recommendation. If a bill is not voted out of committee, it is "killed" unless the full house votes to take the bill from the committee and assign it to another one.
5. A bill sent to the full house is discussed, debated, and perhaps amended. A majority vote is required to pass a bill.
6. When a bill is "certified" (passed) by the house, it is carried by messenger to the senate for consideration.
7. Again, the bill is assigned to a committee and studied. As before, the bill may be kept in committee, changed, or voted out without change to be handled by the entire senate.
8. If both the house and the senate pass a bill in the same form, it is signed by the presiding officers and clerks before being sent to the governor.
9. The governor can handle a bill in one of three ways. He or she can (a) sign it into law; (b) take no action, thus letting it become law automatically, or (c) veto it. If a bill is vetoed, the General Assembly can override the veto by a two-thirds vote of both houses. The bill then becomes law.

contracts, and real and personal property. Other subjects it deals with include inheritances, mortgages, corporations, and marriage and divorce. The legislature makes laws concerning fines, imprisonment, or death in criminal matters. It also considers **public regulation**, laws affecting such issues as morals, public health, business or professional regulations, or any general welfare rule that restricts personal property.

How a Bill Becomes Law

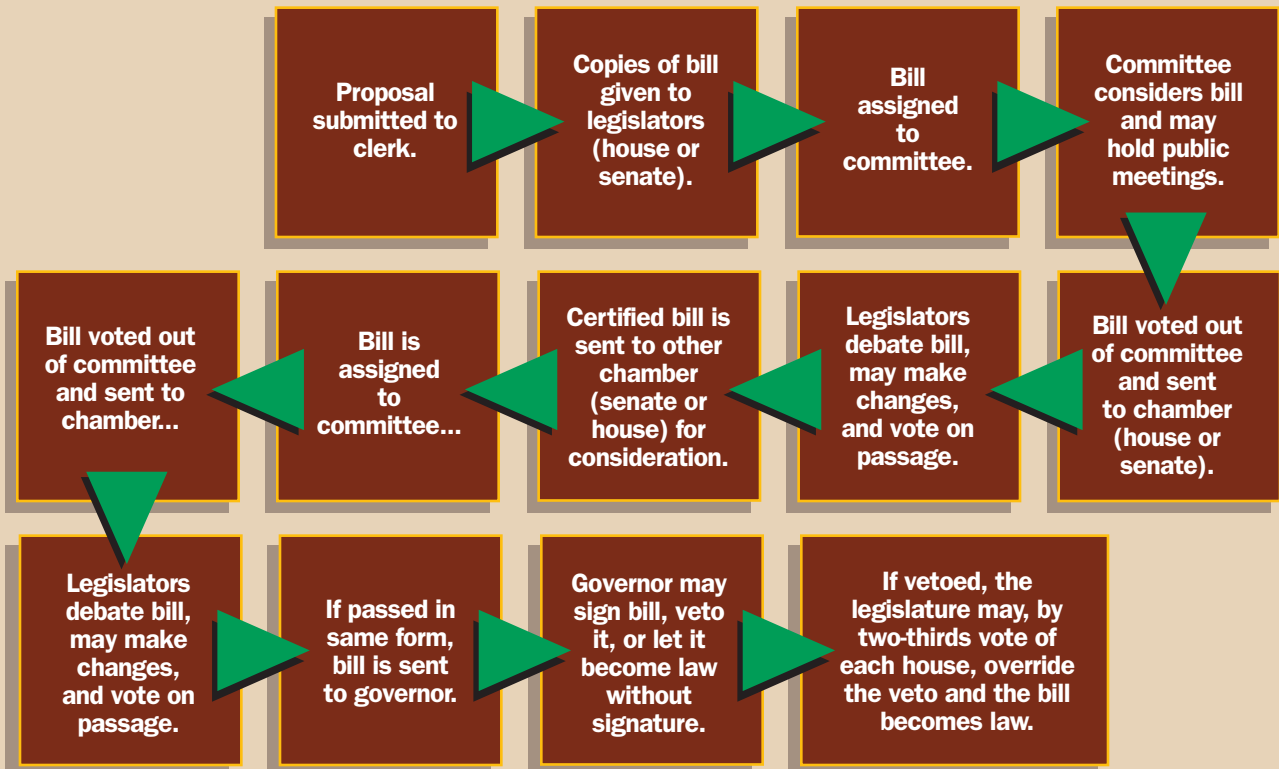
Any citizen may suggest an idea for a law, and any senator or representative can propose a bill for consideration. All bills that affect how the state raises or spends money must start in the house of representatives. Bills about anything else may begin in either house.

Remember that for a bill to become a law, the same version of the bill must be passed by both the house of representatives and the senate. Suppose that the senate passes a slightly different version of a bill than the one adopted by the house. When this happens, the amended bill must be sent back to the house to be reconsidered. If the two houses cannot agree to pass identical versions of a bill, the two versions are sent to a conference committee, which works out a compromise bill that both houses will accept. The compromise bill must be passed by both the senate and the house of representatives before it is sent to the governor.

Reapportionment

One task of the legislature every ten years is to redraw the maps dividing Georgia into voting districts. In Chapter 14, you learned that, af-

Figure 68 How a Bill Becomes Law



ter each census, seats in the U.S. House of Representatives are reapportioned based on the most recent population figures. In the 2000 census, Georgia's population increased. That meant that Georgia gained House seats, moving from 11 to 13 representatives.

In a special session of the 2001 legislature, the Georgia legislature redrew the voting districts. However, Republicans argued that the Democratic party, which controlled Georgia's legislature at that time, gerrymandered the districts lines to favor Democratic incumbents and dilute Republican voting strength. In effect, the new district voting lines spread Democratic voters over more districts and squeezed Republican voters into fewer districts.

In February 2004, a three-judge panel of the 11th Circuit Court of Appeals ruled that the state's redistricting plans did violate the one-person, one-vote concept. According to the court, district lines had to be redrawn before the 2004 party primaries and the November 2004 general election. If the legislature was unable to reach a decision on new voting district lines, the court would do it. When this textbook went to press, a special "master" appointed by the court had presented new district maps. They had not, however, been approved.

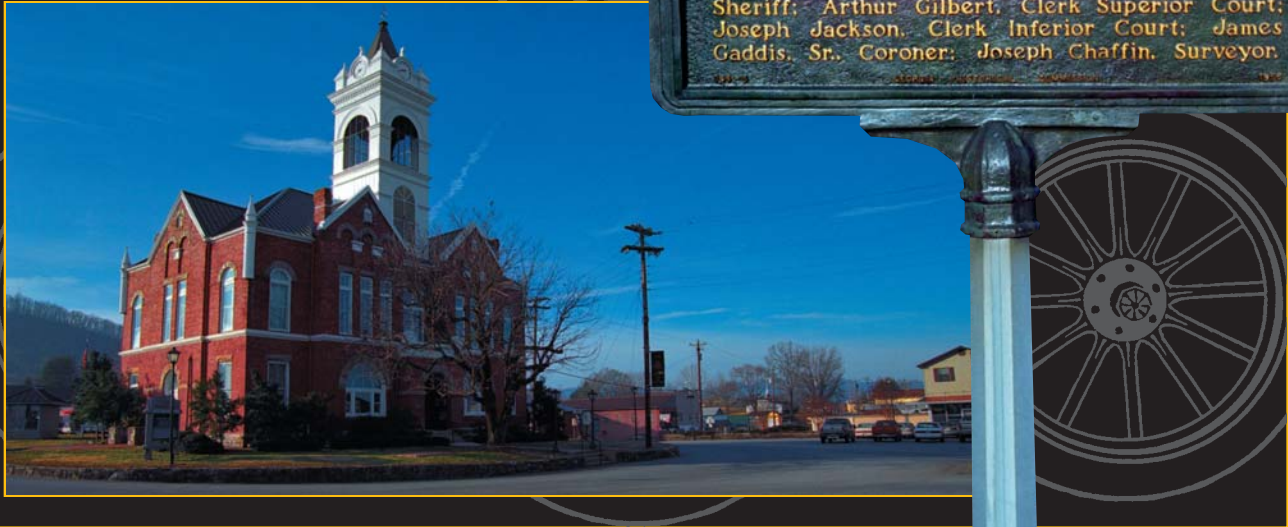
Two changes are likely to result from this redistricting effort. First, Republican party strength should increase in the state since the most populated

Did You Know?

During the **40-day session** of the **General Assembly**, more than **1,000 bills** will be **proposed**.

By the Side of the Road

The creation of counties and cities is, by Georgia law, a responsibility of the Georgia General Assembly. For example, Union County was created in by an act of the legislature 1832 from land that had been Cherokee County. John Thomas, a resident and politician, suggested “Name it Union, for none by union-like men reside in it.” The historical marker that explains the creation of the county is in Blairsville at the old Union County Courthouse.



metro and northern counties have been Republican strongholds in recent years. Second and more significant, the shifting of power in Georgia politics from southern and rural areas to more populated metropolitan and urban areas will be complete. The situation will make the “One Georgia” ideal more difficult to achieve since funds and development for business, industry, and transportation will be controlled by metro and urban representatives.

It's Your Turn

1. Which house can propose a bill concerning how the state spends money?
2. When does the General Assembly convene each year and how long are the regular sessions?
3. What happens when the governor takes no action on a bill passed by both houses?
4. Who makes up the conference committee?

Of Special Interest

Georgia's Capitals

As you have read, Georgia has had several different capital cities. The capital rotated between Savannah and Augusta for much of the state's early history. Savannah was a coastal city. When most of Georgia's population moved inland, it became difficult for the state's citizens to travel to Savannah for state business. But Augusta was too far east for many of the state's citizens. In 1786, the legislature appointed a commission to find a site for a permanent, centrally located capital.

The commission was given funds to purchase 1,000 acres of land for a new city that was to be modeled after the U.S. capital of Philadelphia. The legislature also insisted that the new capital be called "Louisville" to honor King Louis XVI of France for his help in America's Revolutionary War. While finding the site was relatively easy, it was 1796 before a new Capitol building was constructed in Louisville. But Louisville served as the capital for only ten years before another move was necessary.

As more Indian lands opened to the settlers, Georgia's citizens continued to move west and wanted a capital that was more convenient for the western part of the state. In 1804, the legislature voted to build a new capital city in Baldwin County. It set aside funds to purchase 3,240 acres of land and agreed to name the newest capital "Milledgeville" in honor of Governor John Milledge. Milledgeville served as the state's capital for sixty years. Milledgeville had to be evacuated in 1864 during Sherman's March to the Sea. Macon served as a temporary capital while Milledgeville was occupied by Union troops. After the war, the government returned to Milledgeville.



Above: Milledgeville was the capital of Georgia for much of the state's early years, from 1803 until 1868. This building, which was twice destroyed by fire, was the Capitol. Today, it is part of the Georgia Military College.

A change in transportation led to the state's next capital city. The state's Western and Atlantic Railroad ended at a place called Terminus. Terminus was incorporated as a city in 1843 and renamed Marthasville to honor Governor Lumpkin's youngest daughter. In 1847, Marthasville officially became Atlanta and became the center of railroad activities in the state. After the Civil War, Atlanta also became the center of economic growth in the region. During Reconstruction, military authorities had their headquarters in Atlanta. Finally, in 1868, Georgia's new constitution called for the capital to be in the city of Atlanta. In July 1868, the legislature officially met in the newest capital city for the first time, and Atlanta has remained the capital ever since.

Section 3

Section Preview

As you read, look for:

- the levels of courts,
- the separation of powers, and
- **vocabulary terms:** felony, misdemeanor, supreme court, court of appeals, trial courts, jurisdiction, grand jury, and trial jury.

Below: The Georgia supreme court has seven justices who are elected to six-year terms. Originally, there were three justices, but the number was expanded in 1896 to six and in 1945 to seven.

The Judicial Branch of State Government

The judicial branch of government consists of the state's courts. Their role is to interpret the state constitution, protect the legal rights of citizens, and enforce the laws of the state. Courts enforce constitutional laws, statutory laws (those passed by the General Assembly), administrative laws (regulations of executive branch agencies), and case laws (court interpretations of written laws).

The courts protect citizens from abuses by government by ensuring that each citizen has "due process of law." The U.S. Constitution says no state can deprive any citizen of life, liberty, or property without due process of law. This means that persons arrested for a crime have the right to have a lawyer present during questioning. Individuals must be given a speedy, public trial before a fair judge and jury. They may face and question witnesses, or they can remain silent so as not to incriminate (blame) themselves.

The courts also protect citizens from each other by handling civil cases (disputes between two or more persons or groups) and criminal cases (cases



involving violations of the law). Crimes are divided into felonies and misdemeanors. A **felony** is a serious crime such as murder or burglary, punishable by a year or more in prison, a fine of at least \$1,000, or both. A **misdemeanor** is a less serious crime punishable by less than a year in prison, a fine of less than \$1,000, or both.

Georgia Courts

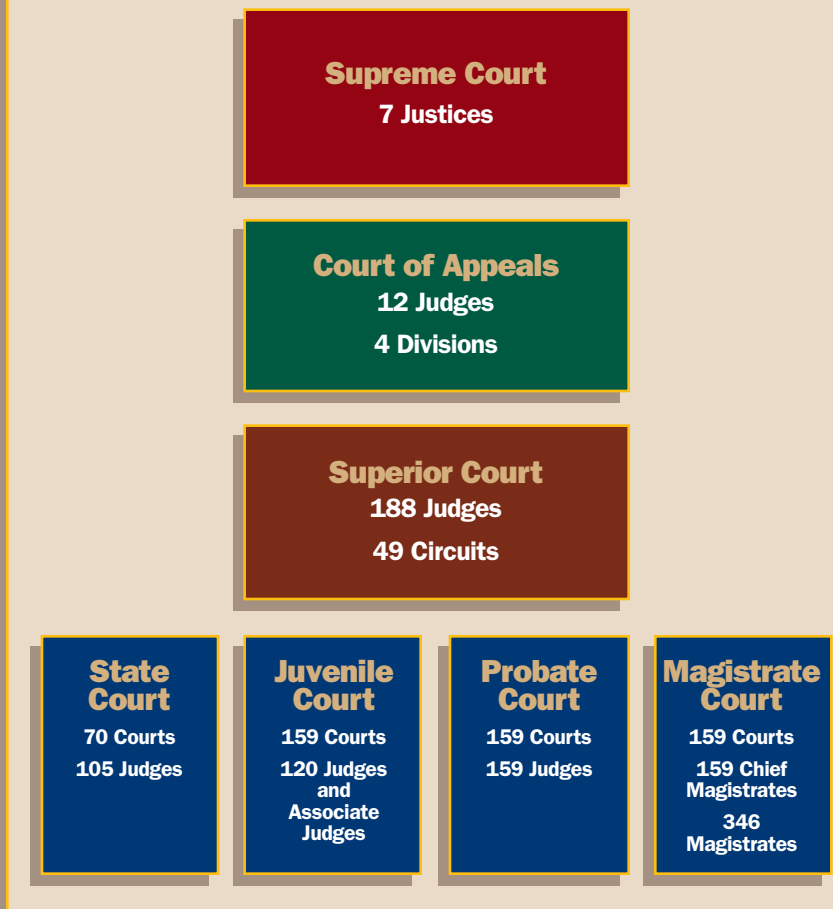
The highest-ranking court in the Georgia court system is the **supreme court**. The seven supreme court justices are elected by popular vote to six-year terms. If a supreme court justice resigns or dies before the end of a term, the governor may appoint a justice to complete his or her term of office. Supreme court justices elect the chief justice from among themselves.

The supreme court is an *appellate* court, which means it only reviews cases on appeal from lower-ranking courts. There are no witnesses and juries as there are in lower-ranking trial courts.

Another responsibility of the supreme court is to interpret the state constitution. It may review cases involving the constitutionality of laws, title to land, equity, wills, habeas corpus, divorce, and alimony. The supreme court automatically reviews all Georgia cases involving the death penalty. It also outlines a code of judicial conduct for the judges of the state, and regulates the admission of attorneys to practice law in Georgia. Decisions of the supreme court are binding. This means they have the final authority in matters of law at the state level.

The second highest-ranking state court is the **court of appeals**. Twelve judges serve on this court, and they elect one of their members to serve as the chief judge. The judges are elected to six-year terms. The court of appeals, like the supreme court, is an appellate court. It only hears cases appealed from lower-ranking courts.

Figure 69 Georgia Court System



Did You Know?

Women were **not allowed to practice law** in Georgia courts until **1915**.

Figure 70 State Checks and Balances

- **The Executive Branch** can veto bills passed by the legislative branch and can call special sessions of the legislature. It also has some appointment powers when officers of the court resign or die.
- **The Legislative Branch** can impeach officials in the executive or judicial branches. It can override a governor's veto of bills to make them into laws. It must also confirm appointments made by the governor. It can also propose constitutional changes.
- **The Judicial Branch** determines whether or not laws are constitutional.



Above: The offices and courtroom of the Georgia Supreme Court are in the State Judicial Building in Atlanta. The Atlanta-based Court of Appeals also meets here.

Below the appellate courts are the trial courts of Georgia. The **trial courts** hear original cases, such as criminal cases and civil cases between private parties. The state's trial courts include 188 superior courts in 49 circuits (regions), 70 state courts, 159 probate courts, 159 juvenile courts, and 159 magistrate courts. Over 400 municipal (city) courts and special courts are also part of Georgia's judicial branch.

Each court has a special **jurisdiction** (the range of actions over which the court has control or influence). For example, the juvenile court handles cases involving persons under the age of seventeen. The probate court deals with the wills and estates of deceased persons. Magistrate courts can only hear civil cases involving sums under \$15,000.

The Jury System

An important part of Georgia's court system is the concept of a jury trial, a trial before one's peers. There are two types of juries—a grand jury and a trial jury. The **grand jury** determines whether or not persons accused of crimes should be indicted (officially charged) and required to stand trial. A **trial jury** is a group of citizens who are charged with judging a person charged with a crime.

Separation of Powers

The Georgia constitution, like that of the United States, provides separate powers for each branch of government. It also provides for a system of checks and balances to ensure that no one branch becomes too powerful (see Figure 70).

In addition, each branch of government is responsive to the citizens of Georgia because most officials in each branch are directly elected by the voters.

It's Your Turn

1. What is the difference between appellate and original jurisdiction?
2. Which type of court normally handles cases involving persons under age seventeen?
3. Which type of jury decides whether to indict a person accused of a crime?

Section 4

Young People and the Law

Did you know that on any given day, over 2,500 children are locked up in Georgia? Most of these young people are jailed for nonviolent crimes such as shoplifting, breaking windows, **truancy** (failure to attend school), or running away from home. They fall under the jurisdiction of Georgia's juvenile justice system.

Juveniles are citizens under the age of seventeen. As citizens, juveniles must follow the same local, state, and federal laws that all other citizens follow. But juveniles have special status under the law, and they must also follow some laws that do not apply to adults. For example, they must attend school until at least age sixteen. They cannot run away from home. They cannot possess alcoholic beverages or tobacco until ages twenty-one and eighteen respectively. In addition, juveniles may not hang around public places or wander the streets breaking local curfews, which are usually 12 midnight to 5 a.m. Juveniles cannot enter bars where alcoholic beverages are sold unless accompanied by a parent or guardian. Finally, juveniles are required to obey all of the reasonable and lawful instructions or commands of their parents or guardian.

The Juvenile Court System

In 1906, the Georgia General Assembly passed a law establishing a special court for juveniles. In 1911, Fulton County became the first county in Georgia to set up a juvenile court. Today, every county in Georgia has one.

The juvenile courts have three main purposes: (1) to help and protect the well-being of children, (2) to make sure that any child coming under the jurisdiction of the court receives the care, guidance, and control needed, and (3) to provide care for children who have been removed from their homes.

Two terms are important to understand juvenile laws and courts. A *delinquent act* is an act that would be considered a crime if committed by an adult. A *status offense* refers to an act that would *not* be considered a crime if committed by an adult. When juveniles commit a delinquent act or a status offense and are captured by the police, they are said to be “taken into custody” rather than “under arrest.”

Section Preview

As you read, look for:

- the steps in the juvenile justice system,
- the rights and responsibilities of juveniles, and
- **vocabulary terms:** truancy and juvenile.



Above: Juveniles—young people under the age of seventeen—have both rights and responsibilities. In Georgia, they have a special status and juvenile offenders are judged in a special court.

Did You Know?

The first juvenile court in the United States was established in Chicago in 1899.

Figure 71 Georgia's Juvenile Courts

Georgia's juvenile courts have jurisdiction over the following cases:

- Juveniles who commit traffic offenses;
- *Delinquent juveniles*, those under the age of seventeen who commit acts that would be crimes if committed by an adult (for example, burglary or car theft);
- *Unruly juveniles*, those under the age of eighteen who commit acts that would not be crimes if committed by adults (for example, running away from home, disobeying parents, being out between 12 midnight and 5 a.m., being repeatedly truant from school);
- Juveniles under the supervision or probation of the court;
- *Deprived juveniles*, children under the age of eighteen who are neglected or abused by parents or guardians or those who have no parents or legal guardians;
- Cases involving children who need mental health services; and
- Proceedings involving judicial consent for marriage, employment, or enlistment in the armed services when such consent is required by law.

Steps in the Juvenile Justice Process

When a juvenile is taken into custody, the first step is *intake*. At this time, the juvenile is turned over to a juvenile court intake officer, who investigates the case. The intake officer must decide if there is enough evidence (probable cause) to support the charges made against the juvenile. If there is not enough evidence, the intake officer must release the juvenile.

If there is enough evidence to think the juvenile may be guilty of the charges, the intake officer may (1) release the juvenile into the custody of his or her parents or legal guardian or (2) detain the juvenile.

In Georgia's juvenile system, most juveniles are not detained but are released into the custody of parents or guardians. Intake officers often detain juveniles who might be a risk to run away, who might have nowhere else to go if

parents or guardians are unable or unwilling to take them, who might be a risk to harm themselves or others, or who have been in trouble with the law before. If a juvenile is detained, parents or a guardian must by law be notified.

Juveniles who are detained are housed in one of the state's Regional Youth Detention Centers, often known as RYDCs. In certain special circumstances, juveniles charged with serious crimes can be placed in adult jails and tried by adult courts rather than juvenile courts.

The second step is *detention*. If the juvenile is detained, a probable cause hearing before the juvenile judge must be held within seventy-two hours. At that point, the judge has three options: (1) dismiss the case, (2) have an *informal adjustment*, or (3) have a *formal hearing*.

Generally, an informal adjustment is held for first offenders. The juvenile and his or her parents or guardian must agree to the informal adjustment, and the young person must admit the wrongdoing. The juvenile is under the supervision of the court for at least ninety days. While under the court's supervision, the juvenile might be required to attend school regularly or participate in counseling programs. The juvenile may also be required to pay for any damages caused or to complete community service requirements.

If an informal adjustment is not held, the third step in the juvenile justice process is a *formal hearing*. First, the complaining witness files a petition outlining the wrongdoing. Once the petition is signed, a date is set for the formal hearing and a *summons* issued. The summons requires the juvenile, the parents or guardian, and those involved in the charges to attend the hearing.

The first part of a formal hearing is the *adjudicatory hearing*, which is somewhat like a trial. The juvenile judge hears the case against the juvenile and the juvenile's defense. There is no jury. After listening to all the evidence, the judge decides whether or not the child is guilty of committing a delinquent act. If found not guilty, the juvenile is released. If found guilty, the court schedules a second hearing.

The second part of the formal hearing is called the *dispositional hearing*. In this part, the judge determines the punishment for the offense. At this hearing, both the prosecutor and the defense can call witnesses and present evidence that might influence the judge's sentence.

The fourth step in the juvenile justice process is the *sentencing*. The judge may select from a number of options (see Figure 72).

As a final step in the process, a juvenile has the right to appeal his or her case. The court has the right to extend its custody or supervision of the juvenile for up to five years.

Did You Know?

Juvenile courts are charged with doing what is in the best interest of the child while keeping in mind the best interest of society.

Figure 72 Juvenile Sentencing

Once a juvenile has been judged guilty of committing a delinquent act, the judge has several ways to treat the child. The judge may

- Release the juvenile to the custody of parents or legal guardian with no court supervision.
- Place the juvenile on probation.
- Place the juvenile in a youth development center for up to ninety days.
- Commit the juvenile to the Department of Juvenile Justice.
- Send the juvenile to a special program such as boot camp.
- Assign other punishments (such as restitution and fines) and special conditions of probation (such as mandatory school attendance, community service, counseling, suspension or prohibition of driver's license).

Georgia's Seven Deadly Sins Act

In 1994, the Georgia legislature addressed the issue of increasingly violent youth crimes. It passed an amendment to the Georgia Juvenile Code that permits youths who are charged with certain violent crimes to be treated as though they were adults. These young offenders fall under the jurisdiction of the superior court and are treated as adult criminals.

The superior court has sole jurisdiction over juveniles charged with such serious crimes as murder, rape, and armed robbery with a firearm. These offenses were called the "Seven Deadly Sins" when the legislation was being debated in 1994. Mandatory ten-year sentence guidelines are a part of that change.

The Rights of Juveniles

Juveniles handled under the juvenile justice system have the same basic legal rights that other citizens have. They have the right to have their cases

Figure 73

Court Cases Involving Students' Rights

Case: *Tinker v. Des Moines*, 1969

Issue: Freedom of student expression

Explanation: School officials cannot limit a student's right to free expression unless there is evidence of a disruption in school operations or an invasion of rights of others.

Case: *Hazelwood v. Kuhlmeier*, 1988

Issue: Student publications

Explanation: Although students have the right to publish and to distribute literature produced on and off campus, schools have the right to exercise editorial control over the style and content of school-sponsored student publications.

Case: *Bethel School District v. Fraser*, 1986

Issue: Disruptive speech

Explanation: School boards have the right to determine what speech is inappropriate, and they need not tolerate speech or conduct that is lewd or offensive.

Case: *Colorado Independent School District v. Barber*, 1995

Issue: Dress codes

Explanation: Schools can enact strict dress codes that prohibit students from wearing apparel or symbols of gang membership if it is shown that a gang problem exists.

Case: *New Jersey v. T.L.O.*, 1986

Issue: Unreasonable search and seizure

Explanation: School officials are not required to obtain a search warrant or to show probable cause to search a student, only a reasonable suspicion that the search will produce evidence of a violation of law or of school rules.

Case: *Gross v. Lopez*, 1975

Issue: Right to due process in suspensions and expulsions

Explanation: Students have a legal right to an education, and students cannot be expelled or suspended without due process protections.

decided quickly, just as adults have the right to a speedy trial. Juvenile cases, however, are decided by a judge, not a jury.

Juvenile court proceedings can result in the loss of liberty. As a result, juveniles have all of the rights to a fair trial: They must be notified of the charges against them; they are protected against self-incrimination; they have the right to an attorney; and they have the right to confront and to question witnesses against them. The accused juvenile has the right to present a defense, to introduce evidence, and to testify on his or her own behalf. Most importantly, the juvenile has the right to have a parent or a guardian present in all hearings. If a child's parents or guardian cannot afford a lawyer, the court must appoint an attorney to represent the child.

Students' Rights and Responsibilities Under School Law

Students do not leave their constitutional rights behind them when they enter the schoolhouse door. In particular, challenges have arisen over several areas of basic student freedoms when those freedoms seemed to conflict with a school's right to manage its environment. Students and schools have disagreed over the nature of school disciplinary procedures, protection of lockers and book bags against searches, freedom of expression in slogans on

T-shirts, articles in student newspapers, public speech, and even school dress and hairstyle restrictions.

The courts have protected the First Amendment rights of students (freedom of religion, speech, the press, the right to assemble, and the right to petition) as well as their Fourth Amendment rights against unreasonable

searches and seizures. Rulings have also protected the Fifth Amendment rights of students (equal protection under the law and right of due process of law).

Student Responsibilities Under School Law

According to Georgia law, students have a legal right to a free public education. But along with rights come responsibilities.

Students must attend school between the ages of six and sixteen. Students must follow reasonable rules and regulations, behavior codes, and even dress codes schools have established to provide an environment that is safe and conducive to learning.

Finally, students have a responsibility to work with school officials to prevent disruptions and violence in their schools. After the school shootings of the late 1990s, all students have a responsibility to work together to avoid weapons and fights on school campuses. And all students must work to prevent violence at school-sponsored activities, dances, ball games, and other events—not just in the school classrooms.

Schools will be as safe and successful as the students and teachers within them work to make them be.

A Final Note

The character education term for this chapter is **perseverance**. What does it mean and how does it apply? To persevere means to stick to the task, to “hang in there” and get a job done. People who show perseverance are those who do not quit just because they experience some failures or hardships or obstacles. For example, successful inventors exhibit perseverance. They experiment and fail many times before they succeed in developing a new product from a general idea or concept. Strong political and social leaders also exhibit perseverance. They too show a willingness to keep working on programs and reforms that will better their state.

Students have to have a touch of perseverance to make those high grades. Even when a project or assignment is a difficult task, the A student sticks to the job until it is completed satisfactorily. Perseverance is a trait we should all try to develop on our way to success. Good luck!

It's Your Turn

1. What constitutional rights of students were the subject of the following U.S. Supreme Court cases: *Tinker v. Des Moines*, 1969; *Hazelwood School District v. Kuhlmer*, 1988; *New Jersey v. T.L.O.*, 1986; and *Goss v. Lopez*, 1975.
2. In your opinion, what is a reasonable cause to search a student's locker?

Chapter Summary

- Georgia's government is based on the state's constitution.
- Georgia's first constitution was adopted in 1777. The latest, the tenth, was adopted in 1983.
- Georgia has three branches of government—executive, legislative, and judicial.
- The executive branch, headed by the governor, is the largest branch of state government.
- Georgia has a bicameral legislature, a two-house body made up of the house of representatives and the senate.
- The supreme court is the highest-ranking court in Georgia, followed by the court of appeals and the state superior court.
- Georgia's government includes a system of checks and balances, just as the federal government does.
- The state is funded with both state and federal monies.
- The source of most state funds are individual and corporate income taxes and sales taxes.
- The majority of the state's budget is spent on education and social services.
- Young people under the age of seventeen or eighteen are subject to the juvenile justice system.

Chapter Review

Reviewing People, Places, and Terms



Use each of the following terms in a sentence about Georgia's government.

1. expenditures
2. governor
3. grand jury
4. jurisdiction
5. juvenile
6. revenues
7. supreme court

Understanding the Facts



1. What are the three branches of Georgia's state government?
2. How old does a person have to be to serve as Georgia's governor?
3. What length are the terms of the governor and the lieutenant governor?
4. Who prepares the annual budget, or appropriations package, for presentation to the Georgia General Assembly?
5. How many members make up the General Assembly?
6. Who presides over the Georgia senate? Who presides over the Georgia house of representatives?
7. How does the General Assembly manage to accomplish its work in a 40-day legislative session?
8. Which of Georgia's courts have appellate jurisdiction?

Developing Critical Thinking



1. Why is it important to have roughly the same number of people in each legislative district in the state?
2. Georgia is the fastest-growing state east of the Rockies. About 160,000 people move into the state each year. As more developments, businesses, and residences are built, land known as "green space" is lost. What is "green space"? How much do we have? Why is it a problem when a forested area is turned into condominiums, stores, or parking lots? How can we preserve some of the state's green space without turning away citizens?
3. In your opinion, what role does a student play in maintaining a safe school environment free of hate speech, violence, and weapons?

Checking It Out



1. You have read that the executive branch of Georgia's government is the largest branch, and that over one-half million people in Georgia are government employees. Research to find out how much it costs to pay Georgia's government workers. How much do your representative and senator make? How much do the governor and lieutenant governor make?
2. Two of Georgia's major recreational areas are Lake Lanier in north Georgia and West Point Lake in southern Georgia. Both lakes are served by the Chattahoochee River, which also goes through Metropolitan Atlanta and provides the city's water source. Interest groups and everyday citizens are concerned about overuse of the river's water and about pollution.

Research these two major lakes. How low is the water level in the lakes getting? What activities are underway to protect the water reservoirs and the river? Who are the opponents in the dispute over water use?

3. Use your local newspaper to locate the names and contact addresses of your state senators and representatives. How do you contact them if you need assistance? How do you contact them if you want information or want to share your ideas about issues?



Writing Across the Curriculum

1. There are a number of major issues that the General Assembly must confront in every session. Four of the problems are (1) the water supply and sharing available water resources both within the state and with neighboring states; (2) air pollution and traffic congestion, especially in Metropolitan Atlanta; (3) educational improvement; and (4) economic improvements. Select any one of these issues. Prepare a short report stating the problem, identifying proposed solutions, and giving your own recommendations for action.
2. Some of Georgia's most influential leaders have been writers, people like Gene Patterson and Ralph McGill of the *Atlanta Journal-Constitution* and Bill Shipp of *Georgia Trend* magazine. Through their editorials and stories, writers like these have greatly influenced the way ordinary Georgians think and act. Examine the writings of these three men, then try your hand at writing an editorial for your school or community newspaper. Select a current issue, explain that issue, and propose action in your editorial. Remember, you have to be fair, your facts have to be accurate, and your proposal has to be reasonable if your fellow students and community members are to accept your ideas.



Exploring Technology

1. Using your favorite search engine, find an Internet site about Georgia's military bases. Where are they located? What military installations are at each base? How many personnel are stationed at each base? How much does each base contribute to the state's economy? In what other ways are the bases important to Georgia?
2. Using your favorite search engine, find out about Georgia's most pressing environmental concerns such as air pollution, water pollution, recycling, toxic wastes, and waste dumps and landfills. What are the pollution issues in your own community? Who is working on those concerns, and what steps are being taken to find long range solutions? What can you and your classmates do?



Applying Your Skills

1. Research to find out how the state's current budget is being allocated. What percentage of the state's budget is being spent on education? on social services? Have these percentages changed over the past five years? How have they changed, and why do you think they have changed?
2. The HOPE scholarship program provides support for those high school graduates who want to go on to college. As the demands on HOPE scholarship monies grew, the Georgia lottery that funds HOPE began to run short of money. Recent changes in the HOPE grants are a result of this shortage. What are the requirements to receive HOPE funds today? How have the requirements changed since 2001? How much does HOPE provide for each student? How much is expended annually in HOPE scholarship funds?

Georgia's State Symbols



Top: Tiger swallowtail.
Middle: Brown thrasher.
Bottom: Peanuts.

A symbol represents something else—a thing, an idea, or a concept. The bald eagle, for example, is a symbol of the United States. “Woody Owl” is a symbol for conservation. Closer to home, a birthday cake is a symbol of celebration for the day you were born. You have studied symbols in science (NaCl is the chemical symbol for table salt) and in mathematics

(+ is the addition symbol). Georgia too has many symbols—over forty. Some of them represent events that occurred in our history, some remind us of our heritage, and others are just fun celebrations enjoyed by Georgians. In this special section, you will read about many of Georgia’s state symbols.

State Bird

The brown thrasher officially became Georgia’s state bird in 1970, although Governor Eugene Talmadge had issued a proclamation in 1935 naming it a symbol of the state. Farmers, in particular, like to see the long-beaked bird nesting in low bushes on

their land because the thrasher’s diet includes grasshoppers, worms, and caterpillars, which can be destructive to crops.

State Butterfly

The tiger swallowtail butterfly was named the state butterfly in 1988. This gorgeous butterfly has large yellow and black striped markings on its wings. Like the honey bee, the tiger swallowtail butterfly helps pollinate plants.

State Creed

Georgia’s official state creed was approved in March 1939. It reads:

Accepting, as I do, the principles upon which Georgia was founded, not for self but others;—its Democratic form of Government, based on ‘Wisdom, Justice and Moderation’;—its natural resources;—its Educational, Social and Religious advantages,

making it a most desirable place to live—I will strive to be a pure upright Citizen, rejecting the evils—loving and emulating the good.

I further believe it is my duty to defend it against all enemies, to honor and obey its laws, to apply the Golden Rule in all my dealings with my fellow Georgians.

I feel a sense of pride in the history and heroic deeds accomplished by my forebears, and shall endeavor to so live that my State will be proud of me for doing my bit to make my State a better Commonwealth for future generations.

State Crop

The peanut was selected as Georgia's state crop because Georgia produces almost 50 percent of the total U.S. peanut crop and provides over 50 percent of the peanuts used in making peanut butter. The state leads the nation in peanut and peanut product exports. Originating in Brazil and Peru from the earliest days of Spanish explorers, the peanut was introduced to this country by Africans and quickly became a favorite food. In 2002, eighty Georgia counties produced over 2 billion pounds of peanuts.

State Fish

The state fish, the largemouth bass, is found mostly in warm water streams and lakes. Georgia boasts one of the world's records for the biggest largemouth bass ever caught.

State Flag

The present state flag was adopted in 2003 after a long controversy. The flag features the "Stars and Bars" with the state's seal on a blue background in the upper left corner.

The 2003 flag replaced a flag that had been approved in January 2001. That flag had a Georgia state seal on a blue background. A banner entitled "Georgia's History" was placed under the seal and contained small versions of all five of the flags that had played a part of Georgia's history. The 2001 flag replaced the flag that had been adopted in 1956. The 1956 flag incorporated the Confederate battle flag, which many people believed was racist. Many believed that the 2001 flag was too much of a compromise.



Top: Largemouth bass.
Above: New state flag.



The legislature ruled that Georgians would have an opportunity to vote on the issue in March 2004. In that vote, the people decided to keep the 2003 flag.

State Flower

The Cherokee Rose was adopted as a state symbol in 1916, making it one of the state's oldest symbols. The rose originally came from China and was introduced into the New World by Spanish settlers. According to the "Legend of the Cherokee Rose," the Cherokee women were so broken-hearted at leaving their lands in Georgia that the chiefs prayed for a sign to soothe their grief and give them strength. "The Great One" told them that each time the mothers' tears fell to the ground, a flower would spring up with white petals for the tears, a gold center to represent the gold stolen by the settlers who forced them off their lands, and seven leaves on each stem to represent the seven Cherokee clans. Today the rose grows along the path of the Trail of Tears from Georgia to Oklahoma.

State Fossil

The shark tooth, Georgia's state fossil, is a common fossil in the Coastal Plain region. In fossil form, the shark tooth can be traced back 375 million years, but the oldest shark tooth found in the state was 60 million years old. Fossilized shark teeth are found in a variety of colors ranging from black and gray to white, brown, blue, and reddish brown. If you are lucky enough to find a red shark tooth from the rivers around Camden County, you may really have something valuable because some are as much as 15 million years old.

State Fruit

The peach is our state fruit, and Georgia ranks third in the nation in peach production. One of the state's nicknames is "The Peach State." Our Georgia peaches are known for their superior flavor, texture, and appearance. They are good for our eyesight, fat-free, a source of fiber, and low in cholesterol and sodium!



State Game Bird

The legislature selected the bobwhite quail as the official game bird of the state in 1970. The quail is best known for its distinctive “bob-bob-white” call. Georgia is known as the “Quail Capital of the World” and has several plants that process and ship the delicacy throughout the country.

State Gem

The state gem—quartz—is the second most abundant mineral on Earth. It can be found in the mountains of the state and comes in a wide variety of colors in Georgia. Quartz is most commonly recognized as the amethyst, often used in jewelry, and the clear quartz, which resembles a diamond when it is cut with many small flat surfaces.

State Insect

The state insect is the social honey bee, which has been around for 10 to 20 million years. The honey bee is important to agriculture because it pollinates more than fifty different crops. Honey produced by the bees is also a valuable commodity in Georgia’s economy. In fact, the state is the seventh largest honey-producing state in the country.

State Marine Mammal

Georgia’s state marine mammal is the right whale, considered to be one of the most endangered species in the world. Weighing up to seventy tons, the seventy-foot right whale is actually a baleen whale. Whalers thought they were the “right” whales to hunt since they were rich in blubber and they were easy to catch (they are relatively slow swimmers).

State Mineral

Old crystalline rocks are primarily found in northern Georgia. The reddish-brown or black staurolite, found in old crystalline rocks, was designated



Top left: Bobwhite quail. **Top right:** Right whale and calf. **Above:** Honey bee. **Opposite page, top:** Cherokee Rose. **Opposite page, middle:** A peach. **Opposite page, below:** Fossil shark’s tooth (actual size!).



Top: Live oak in Darien.
Above: Bag of Vidalia onions by a roadside stand. **Inset:** Pogo sign at Okefenokee Swamp Park.

the official state mineral in 1976. The popular name for these good luck charms are “Fairy Crosses” or “Fairy Stones” because the crystals in the mineral form a cross. In fact, the name comes from the Greek word *stauros* meaning “cross.”

State Poet Laureate

Georgia’s poet laureate in 2003 was Dr. David Bottoms. Dr. Bottoms is a native of Canton. He is currently a professor of creative writing at Georgia State University and lives in Marietta. His books include both collections of poetry and works of fiction. A portion of one of his poems appears in Chapter 4.

State Possum

In 1992, Georgia’s official possum became “Pogo Possum,” the comic book character created by Walt Kelly. Pogo, who lives in Okefenokee swamp, has been featured in a nationally syndicated comic strip since 1949. His most famous expression is “We have met the enemy and he is us.”

State Reptile

The gopher tortoise is the official state reptile. This type of tortoise is one of the oldest species native to our state and traces its ancestry back to land tortoises that originated in North America over 60 million years ago. The slow but appealing gophers burrow into the ground to create a maze of tunnels that can also serve as home to 360 other animal species from the armadillo to snakes and mice. The gopher tortoise can live up to 60 years.

State Seal

Georgia’s state seal was adopted in 1799. It depicts an arch, which contains the word “Constitution,” supported by three columns, representing the three branches of government. A man with a drawn sword stands between two of the columns. The man with the sword represented the military aid Georgia provided in defense of the Constitution.

A banner encircles the columns with the words *Wisdom, Justice, and Moderation* (the state motto). It was hoped that the legislature would use wisdom in making laws, that the judicial system's decisions would provide "justice," and that the executive branch of government would use "moderation" in administering the laws of the state.

The reverse side of the seal depicts a ship, two of Georgia's exports (cotton and tobacco), and a farmer plowing. These scenes are representative of the state's agriculture and commerce.

State Tree

The live oak was adopted as the state tree of Georgia in 1937. It is found primarily along the coastal plains and on the sea islands. The majestic tree sometimes has a trunk twenty-five feet in diameter. It can grow more than forty feet high and have a limb span of more than a hundred feet. A live oak tree often lives for several hundred years and is a host for clinging Spanish moss.

State Vegetable

Georgia's famous sweet Vidalia onion was named the state's vegetable in 1990. The onion is grown in a small area of southwest Georgia near Vidalia. Because of the makeup of the soil of this region, the granex seed, which produces hot onions in other soils, produces a sweet onion that is not hot to the taste.

State Wildflower

The azalea, also called bush honeysuckle, is a member of the Rhododendron family. Once you see azaleas in full bloom, you will understand why the azalea is our state wildflower. Our wild trumpet-shaped azaleas are a dazzling array of vibrant yellow, orange, scarlet, and crimson reds. They were growing wild in Georgia long before James Oglethorpe landed. You may see their wonderful colors from March until July or August.

Figure 74 Other State Symbols

Art Museum	Georgia Museum of Art
Atlas	<i>Atlas of Georgia</i>
Ballet	Atlanta Ballet
Beef Cook Off	"Shoot the Bull"
Folk Dance	Square Dancing
Folk Festival	The Georgia Folk Festival
Folk Life Play	"Swamp Gravy"
Historic Drama	"The Reach of Song"
Motto	"Wisdom, Justice & Moderation"
Musical Theater	"Jekyll Island Musical Theatre Festival"
Nicknames	Peach State, Empire State of the South
Peanut Monument	Turner County Peanut Monument
Pork Cook Off	"Slosheye Trail Big Pig Jig"
Poultry	Chicken
Prepared Food	Grits
Railroad Museum	Historic Railroad Shops
School	Plains High School
Song	"Georgia on My Mind"
Tartan	Georgia tartan
Theater	The Springer Opera House
Transportation History Museum	Southeastern Railway Museum
Waltz	"Our Georgia"