

OPINION

- Columnists
- Letters to the Editor

Yes on two, no on one, three and four ■ Advocate Publisher Sam D. Kennedy

As a general rule, I vote against any and all proposed constitutional amendments, at least on the state level.

The Constitution of 1870 has served us well for many years with few exceptions. Those who would tinker with the constitution of Tennessee usually consist of two types, those who would impose their version of Christianity and morals on the rest of us by law rather than by logic and persuasion, and those who are seeking ways to rule when they don't have the votes to do so in the regular democratic way.

In recent history, those who would change the state constitution seem to not know the difference between federal courts, especially the United States Supreme Court vs. the state court system and the Supreme Court of Tennessee. The U. S. Supreme Court, in too many instances, has chosen to upset the checks and balances system by changing established law, and making new law, a function most Tennesseans think should be left to the Legislative branch (and I agree with them).

Our state courts have not followed such a path. We have had years of judicial calm guarded by a state court system which has kept itself free, as much as possible from political influence and large money. They generally decide the

facts and the law, and leave the dramatic course of usurping what we believe should be legislative matters.

The effort to have people believe that the state courts and the federal courts are one and the same has been largely successful in Tennessee. The fact that state courts must follow federal decisions further confuses the people, and this fits the strategy of those who would confuse and deceive us by making us believe our state courts are the source of their discomfort.

This has caused as lot of unhappiness and unrest in Tennessee as our established laws and culture have been under attack by those who think their superior intellect should rule and not the legislature.

Proposal Two essentially confirms the present way we select judges for the appellate courts. It will not change the way we elect circuit judges and lower judges. Proposal TWO changes nothing, but confirms the law as passed by our legislature and make it clear that this method is constitutional. Our courts have said so, but there are still some who have never been reconciled to having no regular elections for appellate judges, which they contend was provided by our constitution. They may have been right, and this removes any doubt or argument as to the legality of our present method of selection.

After some thought, I intend to vote "NO" on proposals 1, 3, and 4. These serve no legitimate purpose other than

to promote the political views of their proponents.

We have enough laws on the question of abortion. The proponents of question "ONE" may disguise their efforts in any way they choose, but their end goal is to bring back the coat hangers, the illegal doctors in dark corners, and the banishment of young girls to dark places, as existed in my youth. I lived it, I saw it, and I didn't like it. I also don't like abortions, but I know you can't stop them. I do not believe it is any of government's business, but a very personal matter between a woman's conscience and her God.

So I will vote NO on three proposals and YES on proposal TWO.

In addition to shepherding his publications which over the years have included the Columbia Daily Herald, the Mount Pleasant Record, the Parsons News Leader, the Waverly News Democrat and the Lawrence County Advocate, Sam D. Kennedy is an ex-General Sessions Judge, an ex-District Attorney, past President of the Tennessee Press Association, an ex-member of the Tennessee State School Board and ex-County Executive of Maury County. Kennedy lives on his farm in Columbia with his wife of 60 years, Betty, and his two children's families, 5 grandchildren, a GREAT granddaughter, dogs, horses and cows – are all near at hand.

Pet hospices: teaching old owners new tricks

■ TYRADES!
 Danny Tyree

For those arriving late: I love to sink my teeth into the newest silly fad and satirize it until it resembles something the cat dragged in.

That will NOT be happening this week. According to a Boston Globe article bearing the headline "Happier Endings For Dying Pets And Their Owners," the nation is witnessing a small but growing movement toward pet hospices. I'm serious – and glad.

So far, fewer than 10 businesses confirm to the guidelines of the nonprofit International Association of Animal Hospice and Palliative Care, but I'm hoping this is the start of something big.

(A warning: more than 10 establishments CLAIM to be pet hospices, but most of them merely offer at-home euthanasia. And I guess the really low-end outfits involve some guy coming to your house and raiding your fridge while he shows slides of his visit to the World's Biggest Ball of Yarn.)

The legitimate hospices tend to the "physical, emotional and social needs of animals in advanced stages of progressive, life-limiting illness or disability." Working in conjunction with veterinarians, they deal not only with end-of-life issues, but also chronic discomfort.

I'm sure many readers are now squirming in their seats and wishing I had gone the satirical route. Yes, we have quite a few unsentimental macho types who think the only responses to ailing pets are (a) to watch them suffer and die or (b) to apply a hollow-point shell at the very first sign of trouble.

Even though hospices tend to bend over backwards to accommodate budgetary constraints, I understand why hospice care can be considered a luxury or extravagance for some. It's especially daunting if your daddy never told you where puppies and kittens come from and you think Spay & Neuter is a new heavy-metal band.

(For those who MUST go a cheaper route, I suggest Googling the Associated Press story "Designers Contemplate



The Lawrence County Association of Baptists recently presented a donation of \$2,000 to Abigail's Plan. Pictured are Mike Kemper (Director of Missions), Rev. Larry Spears (Baptist Association Moderator and Pastor of Macedonia Baptist Church), Abigail Kidd, Lesa Kidd, and Tommy Lee Kidd. HoJo photo

Letters to the Editor

Yes on One

To the Editor:
 Many people approached our "Yes on 1" booth at the Middle Tennessee District Fair and inquired what this was all about. People all over the state are seeing "Yes on 1" yard signs, bumper stickers, T-shirts, etc... and are wondering what this is. This is the first Amendment that will be listed on the ballot November 4th. This Amendment is pivotal to protecting the unborn and their mothers here in Tennessee and an urgent "YES" vote is needed. In 2000 our TN Supreme Court Judges struck down common sense regulations such as, informed consent, a short waiting period and hospital environment required for 2nd and 3rd trimester abortions. Also, because of this ruling, our abortion facilities no longer have to be licensed or regulated by the Tennessee Department of Health. Because of this ruling, Tennessee has become an abortion destination state. Passage of Amendment 1 will RESTORE our Tennessee Constitution back to what it was prior to the radical 2000 ruling and will enable the voters, through their elected state representatives to pass and enforce common

sense regulations once again in Tennessee. It will make our constitution neutral on the question of abortion. It does not ban abortion. Because of the 1973 Roe v Wade federal ruling, abortion remains legal across the U.S. Unlike all of the false ads that the abortion advocates are using, Tennessee has always had and will still have exceptions to protect the life of the mother. We have palm cards that quickly and easily explain what Amendment 1 is about. You can also visit the website for more information. You can help spread the word and show your support for the passage of Amendment 1 by putting a "Yes on 1" yard sign on your yard, church, or business property. "Yes on 1" Yard Signs are available for a donation of \$3. You can order these and our other products by calling 931-279-1596, or go online to www.yeson1.org. Please pray for and support the passage of this crucial Amendment.

Clara Hollmann
 Lawrence County Coordinator
 "Yes on 1" Campaign

Plainspeak for the masses, please ■ By Emily Weathers Kennedy

I appreciated the *Lifestyles* piece in Sunday's *Advocate* entitled "Voters will have 4 opportunities to amend the state constitution in November, Amendments proposed for the November 4 general election ballot address abortion, judiciary, taxes and gambling." If you tossed your *Advocate* without reading it, I highly recommend digging it back out of the recycle bin to study the relatively simple explanation of the amendments.

How many times have you entered the voting booth to cast your vote for a judge or county official and have then been confronted with a smallish-print, lengthy ballot initiative to be voted on? The last county election featured the retention votes for the Supreme Court justices but had a slew of others that didn't quite make the news.

I stood and read each one, scratching my head. I am no legal scholar. Later, when I was helping my mother to navigate the ballot, I realized that she couldn't even read the screen much less decipher the meaning. I left wondering how many people even tried to tackle the language. I suspect that most folks either voted a straight down yes or no like us or skipped that part altogether.

When folks are campaigning for this or that vote, the message is usually slanted in favor of what people want the outcome to be. They skip the fine print and the real change to laws. I find this practice mostly misleading and oftentimes downright ominous. Time and time again someone hears a message and votes, only later to be a part of a conversation that ends up, "Wait! I didn't vote for that! Or did I?" The answer is usually "Yes you did. You should've read the fine print."

Because these four amendments are so important, I will attempt to pull out the real changes to the law in common language, with help from a legal expert. Then, readers can understand what the changes to the Tennessee Constitution really mean.

Amendment One: A yes vote would strengthen the State's ability to regulate abortion. The amendment asserts

that the Tennessee Constitution does not protect the right to abortion or the funding for abortion. Elected representatives and senators have the right to enact, amend, or repeal statutes regarding abortion, including but not limited to circumstances of pregnancy resulting from rape, incest,

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Capitol Hill Week in Review

■ State Senator
 Joey Hensley MD

Constitutional Amendments on November Ballot

Voters in the upcoming election will be asked to vote on four amendments to Tennessee's Constitution. Last week, I wrote about Amendment

1 which would give the people the right through their elected state representatives and state senators to enact, amend, or repeal statutes regarding abortion. This amendment comes after State Supreme Court rulings were handed down that makes Tennessee more liberal than the U.S. Supreme Court required under Roe v. Wade and subsequent federal decisions. The purpose is to restore common sense protections for the unborn and for abortion-vulnerable women and girls.

This week, we will look at the other three amendments on the ballot.

This is not the first time Tennesseans have gone to the polls to vote on ratification. The state has adopted three constitutions since its birth in 1796, with the latest approved in 1870. That document was not amended until 1953 with further amendments following in 1960, 1966, 1972, 1978, 1998, 2002, 2006 and 2010. The burden is high to adopt an amendment since a plurality of votes cast in the election for governor is required to amend Tennessee's Constitution. This means citizen participation is vital in the vote to amend Tennessee's Constitution.

Amendment 2 on the ballot this year states: "Shall Article VI, Section 3 of the Constitution of Tennessee be amended by deleting the first and second sentences and by substituting instead the following: Judges of the Supreme Court or any intermediate appellate court shall be appointed for a full term or to fill a vacancy by and at the discretion of the governor; shall be confirmed by the Legislature; and thereafter, shall be elected in a retention election by the qualified voters of the state. Confirmation by default occurs if the Legislature fails to reject an appointee within sixty calendar days of either the date of appointment, if made during the annual legislative session, or the convening date of the next annual legislative session,

Continued on A-5



FIRST BAPTIST CHURCH IN LAWRENCEBURG recently presented a special love offering to Abigail's Plan in the amount of \$9,000 to help build a Miracle baseball field for people with special needs. Pictured with Abigail Kidd are her buddies at First Baptist Church. All Glory to God!!!

Hensley . . . *Continued from A-4*

if made out of session. The Legislature is authorized to prescribe such provisions as may be necessary to carry out Sections two and three of this article.”

This amendment would basically constitutionalize the current retention vote system at the end of the eight-year term of Tennessee’s appellate judges with some modifications. Article VI, Section 3 of Tennessee’s Constitution presently requires that judges “shall be elected by the qualified voters of the state.” This language has caused many lawmakers to view the current system which allows voters to “retain” or replace” Tennessee’s appellate judges as unconstitutional. This was the impetus behind placing Amendment 2 on the ballot.

The modifications in the amendment would make the system for choosing state appellate judges similar to the federal system with some exceptions. Unlike the federal system, Amendment 2 forces the General Assembly to vote on judicial nominees within sixty days or the nominees would be confirmed by default. Unlike the federal plan, amendment 2 also adds confirmation by the House of Representatives, in addition to the Senate.

There are 29 appellate court positions in Tennessee that would be affected by the amendment. The state’s 155 popularly elected trial court positions would not be affected and would continue to be elected through popular vote.

Amendment 3 states: “Shall Article II, Section 28 of the Constitution of Tennessee be amended by adding the following sentence at the end of the final substantive paragraph within the section: Notwithstanding the authority to tax privileges or any other authority set forth in this Constitution, the Legislature shall not levy, authorize or otherwise permit any state or local tax upon payroll or earned personal income or any state or local tax measured by payroll or earned personal income; however, nothing contained herein shall be construed as prohibiting any tax in effect on January 1, 2011, or adjustment of the rate of such tax.”

This has been dubbed the “No State Income Tax” constitutional amendment. It simply clarifies the current prohibition in Tennessee’s Constitution against an income tax and a payroll tax, putting to rest future income tax debates. The amendment specifies that the State Legislature as well as Tennessee cities and counties shall be prohibited from passing either an income tax or a payroll tax, which is a tax on employers that is measured by the wages they pay their workers. The General Assembly debated a state income tax proposal in 2001-2002 despite the current language in Tennessee’s constitution.

Finally, Amendment four states: “Shall Article XI, Section 5 of the Constitution of Tennessee be amended by deleting the following language: All other forms of lottery not authorized herein are expressly prohibited unless authorized by a two-thirds vote of all members elected to each house of the general assembly for an annual event operated for the benefit of a 501(c)(3) organization located in this state, as defined by the 2000 United States Tax Code or as may be amended from time to time and by substituting instead the following language: All other forms of lottery not authorized herein are expressly prohibited unless authorized by a two-thirds vote of all members elected to each house of the general assembly for an annual event operated for the benefit of a 501(c)(3) or a 501(c)(19) organization, as defined by the 2000 United States Tax Code, located in this state.”

Tennessee’s Constitution allows 501 (c) (19) charitable veterans groups to raise funds in the same manner as other 501 (c) (3) charitable organizations. Veterans groups were left out of the Constitutional Amendment approved by voters in 2002 that allowed charitable groups registered with the Internal Revenue Service as 501 (c) (3) organizations to conduct an annual fundraising event like duck races, cake walks, raffles and other games of chance. This amendment requires that any funds raised by the games go to purposes that benefit the community, veterans or retired veterans.

I encourage all citizens to carefully review these amendments as you go to the polls this fall.

Town Criers

BREAKFAST—West Point, Sat, Oct 11, 7 a.m.-9 a.m.

FALL FESTIVAL—Oak Grove #2 FWWB Church, 47 Aaron Branch Rd, beside Rochelle Cemetery. Sat, Oct 11, 2 p.m. Inflatables, games, cake auction, bring a carved pumpkin to be judged for prizes. Soups, stews and chili served at 4 p.m. More info 762-5771
STEAK SUPPER—Loretto American Legion, Sat, Oct 11, 5-7 p.m.
SINGING—Beech Grove Baptist Church, 380 Mt Lebanon Rd, Oct 12, 5 p.m. Featuring Leipers Fork. Food after singing.
FIREMAN FAMILY FUN

DAY—To celebrate 3rd Annual Joe Wray Week. Saturday, Oct 11, 8 a.m.-? Rotary Park Pavillion. Air Evac will be on site. Kids’ activities and handouts.
SINGING—First Baptist Church, St. Joseph, Oct 12, 6 p.m. with Shoals Praise and Worship Choir.
TVJ LINE-UP—Sat, Oct 11 at the city administration building, 6:30-9 p.m. Featuring The Grinnells, Rays of Sonshine, and New Beginning.
GOSPEL SINGING—Peppertown Church, 6 p.m. Sunday, Oct 12. Everyone welcome.

SINGING—New Life FWB Church, 2699 Buffalo Rd, Sunday, Oct 12, 1:30 p.m. Featuring the Revelers.
LAWRENCE CO UNITED METHODIST LAITY CLUB—Will meet Oct 13 at 6:30 p.m. at Henryville UMC. Meal at 6:30 p.m. with musical program to follow.
TURKEY SHOOT—Collinwood American Legion Post 254, Saturday, Oct 11, 9 a.m.-? Rain date Oct 18. Beside Lil Sis’s Market, 1384 Railroad Bed Rd. Hamburgers, hot dogs and drinks will be available. More info call 615-516-3295, 931-332-3650 or 931-676-7872

The real enemy is religious intolerance

Guest Commentary
By David Beaupré

As a nation and a society the United States of America has every right to protect itself from both foreign and domestic threats. We must be steadfast and prepared. One of the greatest dangers to our liberty and way of life is racial bigotry and religious intolerance.

There are individuals among us in Lawrence County who incite hate for religious groups. This intolerance demonstrates an ignorance of the basic founding principles of this fine country. The Bill of Rights guarantees the right of all individuals to practice their chosen religion without discrimination or harassment. There are 320 recognized religions in America.

All religious expression is protected by U.S. Constitutional Law. This nation was founded on the guarantee of religious freedom. The intent of the framers of the Constitution was to establish a secular state. America is a nation of many beliefs and many colors.

“Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof...”

When an angry and frustrated individual exercises his right of free speech to incite hatred for any religious group, he is running afoul of the very founding principles of America. Just as we must always stand guard to defend America from foreign aggression, we must also guard against the forces within the country and our community who speak hatred. The intention of this hate speak is to erode our guaranteed freedoms in order to persecute a minority group. History is filled with individuals who were successful at restricting religious freedom. Hitler, Stalin, Mao, all of these men used their power to dictate religious policy. They instilled fear and hatred in their nations.

America is one of many bright lights around the world

Tyrades . . . *Continued from A-4*

Critter Comforts For Older Pets.” You’ll find relatively inexpensive suggestions about mobility, incontinence, heating pads, larger litterboxes, memory-foam mattresses, hydration and fresh-air outings.)

If pet owners get peace of mind from easing the last days of their loyal four-legged friends, don’t begrudge them. It’s at least as legitimate as gaining peace of mind by going into debt for a home security system, verifying ownership of the most expensive vehicle on the block or swapping for a younger spouse.

When I was growing up, most of my pets got clobbered on the road or disappeared; but over the past six years I have said goodbye to one geriatric dog and three geriatric cats (see my April 10, 2013 column archived at www.caglecartoons.com). I feel no guilt over the amount of love and time I lavished on them, but I wish I could’ve learned a few more techniques from a hospice.

If you believe “Anything worth doing is worth doing well,” and believe owning pets is worth doing, then logically...

Like a Chihuahua needing a bathroom break, society does not stand still. We will either become more compassionate toward our fellow man or less compassionate. Showing compassion for “dumb animals” is one way to model a brighter future for people.

Do you really want a future where people tell the nursing home administrator, “Sometimes Grandpa forgets what day of the week it is. Ha ha. If that ever happens, don’t hesitate to flush him out to the ocean”? ©2014 Danny Tyree. Danny welcomes reader e-mail responses at tyreetyrades@aol.com and visits to his Facebook fan page “Tyree’s Tyrades”. Danny’s weekly column is distributed exclusively by Cagle Cartoons Inc. newspaper syndicate.

who hold the concept of religious expression sacred.

The Muslim faith is a very diverse group. There are over 20 sub-sects of the faith. As with all religions, there is much division in the Muslim faith.

There are factions within the Muslim faith who are intent on doing harm to America. These individuals are our enemy.

The vast majority within the Muslim faith are peace loving people. There are thousands of good Muslims in Tennessee. They are good mothers and fathers. They work hard and love America. They also wish to freely practice their chosen faith.

There are 1.6 billion Muslims worldwide. Twenty five percent of the world’s population is Muslim. There are good Christians and there are bad Christians. There are good Muslims and there are bad Muslims. America is extremely diverse.

For a citizen of Lawrence County to imply that every Muslim is a terrorist, a killer and an enemy is grossly misleading. This prejudice is born from ignorance, fear and the misguided intention of spreading hatred.

Advocating this broad brush discrimination of 25% of the world’s population is wrong. It is an expression devoid of love. It is un-Christian and downright dangerous. Religious persecution, intolerance and spreading hate is an attention-getting device. It is the realm of the ignorant and the ill informed.

David Beaupre lives with his wife of 30 years in the Fall River area where they built and operate a small family winery. An accomplished author, Beaupre recently completed his first book Quest and Crew, a humorous account of how he and his wife, Wendy, acquired and sailed a 40 foot sailboat for five years.

Plainspeak. . . *Continued from A-4*

or when necessary to save the life of the mother.

Amendment Two: A yes vote means the governor of Tennessee has the discretion to fill vacancies on Tennessee appellate courts, and appointments are confirmed by the State Legislature. This does not apply to local courts and seeks to give constitutional authority to a practice already in place.

Amendment Three: The legislature may never levy any tax on payroll or earned personal income. A yes vote on three would render a state income tax illegal without constitutional amendment.

A yes vote on Amendment Three would be a significant roadblock to progress in the state in my opinion. Should circumstances dictate the need for additional revenue for state projects, there would be no means available to legislate a state income tax for the very rich without the rigorous, years-long constitutional amendment process.

Amendment Four: Empowers the legislature to allow lotteries for events benefitting charitable organizations including 501(c)(3) (charitable) or 501(c)(19) (veterans) organizations.

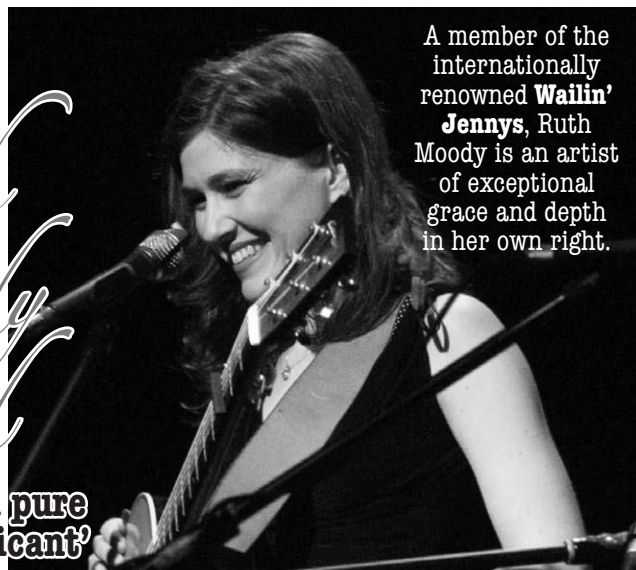
I consulted attorneys to read the Amendments and explain their meaning before I contemplated voting. Don’t take my word for it; investigate these amendments on your own and make up your own mind! Changing our Constitution has far-reaching effects for future generations, and you owe it to them to vote pragmatically and open-mindedly.

Emily Weathers Kennedy is a freelance writer, blogger, artist, photo stylist, and decorator. Emily lives with her husband, 3 dogs, and 2 cats and writes from their farm in Loretto, where she was born and raised.



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