

# OPINION

- Columnists
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## 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 a 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 conform 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 4<sup>th</sup>. 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 2<sup>nd</sup> and 3<sup>rd</sup> 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](http://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*

