



FAMILY
COUNCIL

INSIDE:

—
**We're Passing Lots
of Pro-Life Bills**

—
**Pastors Day
at the Capitol 2017
a Success**

—
**Our Home School
Legislation is
Moving Forward**

—
**Family Council
Supports Federal
Pro-Life, Marriage
Amendments**

—
**Family Council
Opposing SJR 8
(Tort Reform
Proposal)**

—
& MORE

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and a little warmth
from God's Truth
is what we need.** ”

**MARCH 2017
UPDATE LETTER**

DEAR FRIENDS,

My grandfather Jim Kesterson lived in southwest Arkansas roughly one hundred years ago. He made his living by hunting, trapping, farming, and felling timber. It was hard work, but somehow he managed to provide for himself and my mother.

In those days, there were still a few red wolves left in the southern part of the state. One winter evening as Jim was walking home through the woods from checking his traps, a pack of wolves got on his trail. According to my uncle, at one point the wolves were so close they were actually nipping at Jim's arms and legs! They were hungry, and wanted the animals Jim had trapped that evening.

My grandfather Jim found the base of a large tree that had been uprooted. He quickly lit some dry brush on fire with some matches he had with him, and huddled against the root ball of that tree. For the rest of the night he stayed there feeding the fire whatever twigs and branches he could find on the ground around him while the wolves sat in a ring around him—watching and waiting for his fire to die out. Finally, around dawn the wolves gave up and went on their way. Jim put out his fire, and made it back home in one piece.

It's amazing what a little warmth and light can do. For Jim Kesterson it was the difference between life and death. For us today, a little warmth and light can go a long way. You and I may not be facing any actual wolves, but there are some real challenges before us right now. **I believe a little light and a little warmth from God's Truth is what we need.**

Sometimes the Arkansas Legislature feels a little like a dark, cold place. **Right now it seems like there are a lot of "wolves" at the Capitol Building.** By some estimates, every contract lobbyist in Little Rock has been hired by members of the marijuana industry. There are already rumors circulating about marijuana businesses setting up political action committees to fund candidates next year. Elected officials have told us the lobbying from the marijuana industry this session has been unlike anything they have ever encountered before. And we've run into more than a few conservative lawmakers who are pretty indifferent when it comes to regulating Arkansas' budding marijuana industry.

Lobbyists from Planned Parenthood and the ACLU are opposing our good, pro-life bills—even though most of these pro-life bills are all but guaranteed to pass. Some people walking the halls of the Capitol don't appreciate the value of marriage and family the way past generations did.

At the Arkansas Legislature, a little light can help our elected officials make good decisions. **Family Council is committed to sharing that light and truth with lawmakers.** We are also committed to seeing Arkansas become the most pro-life state in America. One thing is for sure: when the "wolves" come prowling around the Capitol Building, we plan to be there to fend them off—and help our leaders do the same.

And now let me tell you a little more about some of the major victories we have had so far in this legislative session—and about some of the major battles we are fighting.

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MY THOUGHTS: AVOIDING THE DEATH OF A THOUSAND COMPROMISES

In his book *The Screwtape Letters*, C.S. Lewis famously wrote that “the safest road to Hell is the gradual one—the gentle slope, soft underfoot, without sudden turnings, without milestones, without signposts.” Lewis was warning people about the dangers of incrementally compromising on our convictions.

It reminds me a little of what I see happen to many good, Christian lawmakers and lobbyists when they arrive in Little Rock: their convictions and their goals slowly die the death of a thousand compromises. They’re promised if they compromise a little right now, they will be more effective down the road. In reality, “down the road” never comes. They just gradually keep compromising a little more and a little more. Eventually, those compromises really add up.

By the grace of God, I believe Family Council has been able to preserve its influence at the Capitol without compromising on conviction. In fact, I believe we are who we are *because* we have stuck to our guns. It isn’t always easy, but doing what’s right rarely is.

We’re Passing Lots of Pro-Life Bills

Lawmakers may be divided on some things, but saving unborn children is not one of them. Most of our pro-life legislation is passing with overwhelming support. Some bills are backed almost unanimously by the Arkansas Legislature! That’s a far cry from the days when we fought tooth and nail to pass a single pro-life bill.

They say you ought to make hay while the sun is shining. The sun is definitely shining on pro-life bills at the Arkansas Legislature, and we are working hard to pass as many as we can. We have legislation to prevent companies from buying and selling organs harvested from aborted babies. We have a bill that will protect babies from being killed or left to die if they are born alive following an abortion. We’re banning abortions performed due to the baby’s sex. We have legislation that makes it easier for the state to shut down abortion clinics. **You can read about these bills—and many others—on the insert enclosed with this letter.**

Our Home School Legislation is Moving Forward

Rep. Mark Lowery (R - Maumelle) has several pieces of home school legislation he is sponsoring. These bills let home schoolers or private school students enroll in academic courses at their local public schools, if the school district is willing to enroll them; simplify the Notice of Intent; expand and improve Arkansas’ “Tim Tebow” law to let home schoolers participate in extracurricular activities at a local private school; and clarify Arkansas’ “Tim Tebow” law to ensure home schoolers who try out for extracurricular activities at a public school are given a fair shot. **You can read about these bills—and others—on the insert enclosed with this letter.**

Nearly 1,000 Home Schoolers Deliver Desserts to State Legislators

When the Arkansas Legislature legalized home schooling in 1985, home schoolers brought homemade desserts to the Capitol Building to share with lawmakers to show their appreciation. At the time, one man at the Capitol joked that home schoolers were the best lobbyists he had ever seen.

These days it’s hard to imagine a world in which home schooling is not legal. But to help our legislators better understand home schooling—and to help remind them that home schoolers are a large part of the population in Arkansas—we help organize Home School Day at the Capitol every legislative session—and we always do our best to make sure home schoolers bring plenty of homemade desserts with them when they come.

This year’s Home School Day at the Capitol was great. Nearly 1,000 home schoolers attended. Governor Hutchinson stopped by to share a few words with everyone. Families were able to meet their legislators, tour the Capitol Building, and see how government works.

Parents have a God-given right to manage their children’s education. Some parents choose public school; some choose private school; and some home school. Unfortunately, that right comes into jeopardy from time to time. I have seen legislative sessions where home schoolers practically descended on the Capitol Building *en masse* to stop a bad bill that would hurt home schooling. That’s why I believe Home School Day at the Capitol is so important: it lets lawmakers meet home schoolers under more pleasant circumstances. The more legislators get to know and understand home schoolers, the less likely I believe they are to support legislation that hurts home schoolers.



Left: Home schoolers from across Arkansas gather for Home School Day at the Capitol 2017.

We're Fighting This Bad Legislation That Would Gut Arkansas' Covenant Marriage Law

In 2001 we helped pass the state's Covenant Marriage Act. The Covenant Marriage Act of 2001 is one of the only laws ever passed specifically to address Arkansas' alarming divorce rate. It gives couples who have gone through premarital counseling the option of applying for a "covenant marriage" license as opposed to a standard marriage license. Couples with a covenant marriage cannot file for no-fault divorce. A spouse with a covenant marriage can file for divorce in cases of physical or sexual abuse; if the other spouse has been unfaithful or committed a felony; or if the couple has been separated for two years.

The bill essentially guts the covenant marriage law we worked hard to pass 16 years ago.

H.B. 1361 by Rep. Nelda Speaks (R - Mountain Home) adds "mental abuse" to the list of reasons a couple with a covenant marriage can divorce. However, the bill doesn't say what constitutes "mental abuse." That means practically anything could qualify as "mental abuse." In other words, the bill essentially guts the covenant marriage law we worked hard to pass 16 years ago.

We have explained our concerns to Rep. Speaks and others in the Arkansas Legislature. As of this writing, we are still working with our friends in the Arkansas Legislature to defeat this bad bill.

PASTORS DAY AT THE CAPITOL 2017 A SUCCESS

In February ministers and church leaders from across Arkansas gathered in the rotunda of the Arkansas Capitol Building for Pastors Day at the Capitol 2017. To put it simply, we held a church service in the Capitol. We had a time of prayer and worship. Pastor Phillip Pointer of St. Mark Baptist Church in Little Rock preached a sermon. Pastors were able to meet with elected officials for prayer and encouragement. Pastors Day at the Capitol is one of the best things we do all year. It helps ministers fulfill the biblical mandate to pray for those in authority. It also helps bring a little of God's light into the dark halls of the Arkansas Capitol.

Right: More than 200 ministers gather for Pastors Day at the Capitol.



Family Council Supports Federal Pro-Life, Marriage Amendments

Sen. Jason Rapert (R - Conway) is sponsoring SJR 7 and SJR 9. These resolutions—which recently passed the Arkansas Senate—call on Congress to convene a convention of the states pursuant to Article V of the U.S. Constitution. SJR 7 calls for a convention of the states to propose a federal marriage amendment defining marriage as the union of one man and one woman. It provides the text of the marriage amendment that the convention would propose. SJR 9 calls for a convention of the states to propose a federal pro-life amendment that would virtually eliminate abortion nationwide. Like SJR 7, it provides the exact text of the pro-life amendment the convention would propose.

Many conservatives are wary of calling a constitutional convention, because they worry the convention might try to rewrite the U.S. Constitution. That's one reason Family Council has never supported calls for a general constitutional convention or convention of the states: we don't want a bunch of people we don't know meeting together to hammer out revisions to our constitution.

But what if we knew ahead of time the amendment that the convention would consider? And what if the convention's activities were limited to nothing more than proposing that one amendment? What if that amendment defined marriage or ended abortion? And what if anything the convention proposed still had to be approved by 38 state legislatures? That's what SJR 7 and SJR 9 do.

Family Council has always believed the U.S. Constitution ought to be amended to protect innocent human life from conception until natural death, and we have consistently supported efforts to amend the U.S. Constitution to define marriage as the union of one man and one woman. We really don't care how those amendments are added as long as they become a permanent part of the U.S. Constitution.

SJR 7 and SJR 9 are specific enough and limited enough that we feel comfortable supporting them. However, many conservatives still are not comfortable with calling for a constitutional convention under any circumstances. I don't blame anyone for disagreeing with us on this.

Recently I told one senator that I believe we're entering a new era at the Arkansas Legislature—one where conservatives will have to realize they won't agree 100% of the time. We will have to find ways to respectfully disagree with one another on some of these issues without harming our ability to work together on others. That's something Family Council has always tried to do and something we remain committed to doing.

Family Council Opposing SJR 8 (Tort Reform Proposal)

Right now we are opposing SJR 8. This proposed amendment to the Arkansas State Constitution affects all personal-injury lawsuits. It limits how much an individual or family can collect in noneconomic damages to \$500,000 for an injury or death. Under current law there are no limits; juries award damages on a case-by-case basis. SJR 8 also allows the Arkansas Legislature to limit evidence that can be considered by a court in a personal-injury lawsuit, and it lets the legislature limit how much personal-injury lawyers can charge.

Family Council has never opposed responsible tort reform. As far back as 2003, we did not oppose general malpractice tort reform measures passed by the legislature. That same year, however, we did oppose tort reform that could have given an unfair advantage to nursing homes over good care for residents. We are involved in this issue primarily because of its impact on elderly residents of nursing homes and other vulnerable people who lack an influential voice at the State Capitol.

I have spent hours talking to good people on both sides of this difficult issue. I've tried very hard to fit our position on SJR 8 to our position on tort reform over the past 14 years. SJR 8 takes much of the financial incentive out of lawsuits by limiting how much juries can award in personal-injury lawsuits, and it limits attorney fees as well as evidence that can be introduced. That means SJR 8 is a very good law for businesses, healthcare professionals, and others. This is a very good law for doctors who pay high malpractice

insurance rates and for hospitals and nursing homes. On the other hand, SJR 8 is not a good law for nursing home residents at risk of being abused or neglected. Limiting how much juries can award in nursing home neglect cases makes it possible for nursing homes to cut staff, reduce care, and let patients suffer or die because the fear of a lawsuit is greatly reduced. Why? Because SJR 8 sets a limit of \$500,000 in noneconomic damages for an injury or death. It gives the legislature the power to restrict evidence that can be submitted in a personal-injury lawsuit. Without evidence, there is no case.

SJR 8 is a very good law for businesses, healthcare professionals, and others. This is a very good law for doctors who pay high malpractice insurance rates and for hospitals and nursing homes. On the other hand, SJR 8 is not a good law for nursing home residents at risk of being abused or neglected.

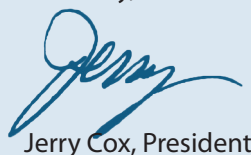
SJR 8 is being discussed even as I type this letter. That means by the time this letter reaches you, SJR 8 could be amended and some of our concerns could be addressed. At this time, however, Family Council opposes SJR 8.

WE NEED YOUR HELP

We are fighting hard to pass good, pro-life legislation. We are committed to upholding marriage in Arkansas and promoting and protecting traditional family values. Your strong support keeps us in the fight. When you give financially to Family Council, you aren't just writing a check. You're partnering with us as we make Arkansas a better state to live, work, and raise a family. Please use the enclosed response card and return envelope to send a generous, tax-deductible gift to Family Council today.

Thank you for your financial support, your kind words, and your prayers. Please let me know if there is ever anything my staff or I can do for you.

Sincerely,



Jerry Cox, President

Thank you!!

P.S. Our pro-life legislation is passing with overwhelming support from state legislators. Our home school legislation is moving forward. We are opposing efforts to gut Arkansas' Covenant Marriage Act of 2001. And we are taking a stand for traditional family values. **Your support makes this work possible. Thank you for standing with us at the Arkansas Legislature.**