

Georgia insight

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"She hath done what she could." Mark, 14:8a

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Who Owns Frozen or Healthy or Fresh Sperm? Is Donor Always the Parent?

Sometimes we forget that not every new thing is progress, but one thing is certain. Even if it *is* progress, it brings new problems and right now, if **S.R. 280** passes, the General Assembly will try to unravel a complicated situation brought on by modern technological advances.

Reproductive technology has made it possible for genetic material from the living or the dead to be frozen for years and then used to conceive a child. That brings up ethical questions. **Who owns the genetic material?** What happens to the embryo or sperm when the couple is no longer together or never marry each other or get married and divorced or one of them dies?

Would or should the deceased donor of sperm or eggs be recognized as the parent? If a donor dies and leaves behind offspring produced from frozen sperm or embryos, should those children be entitled to inheritance or life insurance proceeds or Social Security benefits from the estate? Should living wills or documents similar to prenuptial agreements be required before reproductive materials are collected and stored or frozen for future use? Who owns frozen embryos and sperm or in vitro fertilized embryos? What are the options for disposing of unused embryos or for storing or donating them for adoption or scientific research?

Senator Eric Johnson introduced S.R. 280 to create a seven-member Senate committee to study Property Rights Relating to Reproductive and Genetic Technology. Members would receive a per diem for at least five meetings to study conditions, needs, issues and problems related to the subject and, by December 31st, recommend necessary or appropriate action or legislation.

S.R. 280 raises another critical question about the ownership of **individual biometric data**.

After listing the many problems surrounding frozen genetic material, the bill suggests that protection of individuals must be provided against invasions of privacy through radio frequency identification technology that's already being used by business and government.

The resolution, specifically, asks committee members to define and protect property rights of biometric data, such as DNA, retinal scans and information from implanted microchips.

S.R. 280 went to the Senate Judiciary Committee February 20th. No doubt, new sophisticated technology is great for the economy, but, if you'll notice, many of the legislative problems we have now are, in fact, directly or indirectly caused by our technological progress.

ACTION – Support. Contact Judiciary Committee Senators Preston Smith, Ch., 404 656-0034; Harp, 463-3931; Hamrick, 656-0036; Adelman, 463-1376; Brown, 656-5035; Carter, 651-7738; Cowser, 463-1366; Fort, 656-5091; Hill, Judson, 656-0150; Meyer von Bremen, 656-0637; Reed, 463-1379; and Wiles, 657-0406.

H.B. 276 by Representative Setzler was the result of hearings he chaired in 2006 to learn ways to protect consumer privacy if biometric data is used for radio frequency identification (RFID) and related technology. His bill has been in Non-Civil Judiciary Committee since February 2nd. Please ask the members to pass H.B. 276 as soon as possible. Time is fleeting!

ACTION – Support. Select several legislators on the House Non-Civil Judiciary Committee. Representatives Ralston, 404 656-5943; Mumford, 656-0254; Bearden, 656-0287; Byrd & Mangham, 656-0126; Cole, 651-7737; Collins & Everson, 656-0188; Cooper, 463-8142; Franklin, 656-5087; Knox, 656-7855; Lunsford, 656-7146; Setzler, 656-0177; Abdul-Salaam, 656-0325; Abrams, 656-0220; Benfield, 656-7859; Levitas, 656-0116; Randall, 656-0109.

Embryos: Not the Only or Best Source of Stem Cells

Unlimited embryonic stem cell research funded by the government was rejected when President Bush restricted federal research to embryos already in use, *i.e.*, already killed, with no new, *i.e.*, living ones allowed. Although private embryo stem cell research continues, government research focuses on other sources of stem cells. That's doubly important because embryonic stem cells are very unpredictable. Some do bizarre things, as tragically demonstrated in China when a Parkinson's disease patient had embryonic stem cells implanted in his brain, expecting them to grow new brain cells. Instead, they grew hair and bone inside his brain. He died.

Conversely, stem cells from postnatal tissue and fluid are *extremely* dependable, having already provided treatment for anemia, leukemia, lymphoma and sickle cell disease. Another unsung fact is that adult stem cells found in at least 12 body parts, including the blood stream, bone marrow and skeletal muscle, are *also* dependable and easily obtained without harm to donors.

Senator David Shafer introduced **S.B. 148** to create a 15-member Commission for Saving the Cure to establish a network of Newborn Umbilical Cord Blood Banks that would collect and store postnatal tissue and fluid for scientific research and medical treatment using non-destructive stem cell research. All would be funded with tax-deductible donations.

ACTION – Support. Call Rules Committee Senators Balfour, Ch., 404 656-0095; Hamrick, V-Ch., 656-0036; Seabaugh, Sec., 656-6446; Adelman, 463-1376; Butler, 656-0075; Jack Hill, 656-5038; Hooks, 656-0065; Johnson, 656-5109; Moody, 463-8055; Pearson, 656-9221; Thomas, 656-6436; Tolleson, 656-0081; Unterman, 463-1368; Williams, 656-0089.

S.B. 155, Mandates HPV Shots for 11- and 12-Yr.-Old Georgia Girls

Senator Balfour's S.B. 155 requiring HPV shots for sixth-grade girls passed its first committee February 27th and is now in the Rules Committee chaired by Senator Balfour, himself.

Merck's Gardasil, the first HPV vaccine on the market, is said to protect against four strains of cervical cancer transmitted through sexually transmitted human papillomavirus (HPV).

However, GlaxoSmithKline is working on a similar vaccine that could be marketed this year.

In 2005 Merck sent Governor Perdue \$5,000; Speaker Richardson \$1,000; Representative Cooper \$500; and Senators Balfour and Thomas, \$500 each. In 2006 Merck divided \$15,150 among 34¹ legislators as follows. Five received \$250²; nine, \$300³; three, \$400⁴; twelve, \$500⁵ and four at \$1,000 each to the lieutenant governor, Senate president pro tem, House Speaker and House Health and Human Services chairman.

In addition to money, drug companies have filled Capitol halls with lobbyists constantly talking to legislators. Merck sent six. Four are from PHARMA (Pharmaceutical Research and Manufacturers of America). Two work for Pfizer, two for GlaxoSmithKline and one for Johnson & Johnson. Add those salaries to legislative contributions and it's gotta be big bucks.

Incidentally, the governor put \$4.3 million in the FY 2008 DHR budget to buy HPV vaccine for underinsured children at taxpayer expense. Two terms describe S.B. 155. "It's on the fast track" and, "It's greased." That's stunning because Senator Balfour is the only sponsor.

Could be, he's trying to see how much power he has as Rules chairman, a committee often called the "gate keeper" of legislation or wouldn't any other senator cosponsor S.B. 155?

ACTION – Oppose. Call Senate Rules Committee listed above.

¹ Including one candidate who lost her election for the House of Representatives

² Buckner, Cole, Steve Henson, Judson Hill, and Hugley.

³ Carter, Drenner, Gardner, Jay Neal, Parrish, Randall, Michelle Henson, Jay Roberts, and Rynders

⁴ Sheldon, Graves and Robert Brown

⁵ Thomas, P. Smith, Keen, Harbin, T. Williams, Porter, Channell, 2 for Cooper, Ehrhart, Balfour, Goggins, Jack Hill, Meyer von Bremen

S.B. 211 Special Civil Rights Status for Sexual Orientation

Fact: All people, including homosexuals, have the same equal protection under the law and the constitution. Homosexual activists want special protection for special privileges.

Every year or two a new hate crime bill is introduced for the express purpose of giving sexual orientation a civil rights status. It's not surprising that the sponsor is always a Democrat, because hate crime bills reflect the Democrat Party platform that says: "We continue to lead the fight to end discrimination on the basis of...sexual orientation. We support continued efforts, like the Employment Non-Discrimination Act, to end workplace discrimination against gay men and lesbians. We support the full inclusion of gay and lesbian families in the life of the nation. This would include an equitable alignment of benefits."

Although Democrats have introduced them, hate crime bills have always died because most Georgia Democrats object to elevating sexual orientation to civil rights status. A good example was the 2000 session when a Democrat got a hate crime bill passed in the Senate. Subsequently, a House Democrat deleted the words "sexual orientation" and replaced them with words of equal protection for all. Sentencing for a hate crime was increased if the act were proven to be committed because of "bias or prejudice" against the victim, regardless of lifestyle. That change brought the bill into compliance with the State Constitution that says, "*Protection to person and property is the paramount duty of government and shall be impartial and complete. No person shall be denied the equal protection of the laws.*"

Although that bill became law, a judge later struck it down as too "vague," prompting the introduction of other hate crime bills, such as this session's S.B. 211. Promoters of special treatment for homosexuals, obviously, disregard the fact that neither the Constitution nor the Georgia law discriminates against various sexual orientations. *Every* person can legally marry someone of the opposite sex, but *no* one can legally marry a person of the same sex in Georgia. Just as the constitution protects everyone equally, the marriage law applies to everyone equally and gives *no one* the special privileges homosexual activists are demanding.

Special privileges they want include affirmative action quotas in hiring, as well as marriage benefits, although same-sex marriage is illegal. Their ultimate goal includes even more. John Ward's July 11, 1988 article in the *New York Native*, a homosexual newspaper, clearly stated that hate crime legislation was only the first step in their plan to pass a homosexual rights bill.

On February 22nd, Senator Fort introduced S.B. 211 to elevate sexual orientation to a civil rights status alongside race, religion, gender and national origin. If S.B. 211 becomes law, sentences for crimes would be increased if the victims are involved in or perceived to be living in alternate lifestyles. Hate crime sentencing for a misdemeanor or a misdemeanor of a high and aggravated nature would be increased by 50 percent. Convicted felons could get five more years added to their sentences, with no parole possible until 90 percent of the time is served.

S.B. 211 places *more* value on victims living in alternate lifestyles and *less* value on victims who do *not* live in alternate lifestyles. That's *not* equal protection under the law. It's preferential treatment for those engaged in alternate lifestyles.

ACTION – Oppose. Contact Judiciary Committee Senators Preston Smith, Ch., 404 656-0034; Harp, 463-3931; Hamrick, 656-0036; Adelman, 463-1376; Brown, 656-5035; Carter, 651-7738; Cowsert, 463-1366; Fort, 656-5091; Judson Hill, 656-0150; Meyer von Bremen, 656-0637; Reed, 463-1379; and Wiles, 657-0406.

Hasn't Budged from Committee: S.B. 35, Home-School Equality

The February 24th *Atlanta Journal/Constitution* reported a Massachusetts U.S. District Court Judge ruling that schools are “entitled to teach anything that is reasonably related to the goals of preparing students to become engaged and productive citizens.” He opined that parents’ rights to exercise religious beliefs are *not* violated when their children are exposed to contrary ideas in school, although the material may violate the family’s religious beliefs.

The suit was filed by Massachusetts parents whose five-year-old kindergartner brought home a school book about a same-sex couple. Other parents joined the suit after a second-grade teacher read their child’s class a fairy tale about two princes that fell in love. Such rulings indicate the U.S. is not far behind European courts that seem bent on removing parental rights.

For example, consider the situation in Germany where persecution of home schoolers is so bad the 80,000-member U.S. Home School Legal Defense Association is asking Congress to pass a constitutional amendment to protect home education in the U.S. This eye-witness account of Germany’s crackdown on home education was in *World Net Daily*: “We are not far away from an intolerant dictatorship in our country. Parental rights are more and more abolished. If you do not educate the way the state wants, the so-called [youth welfare office] is quick to check out if they can take away the custody of your children. As long as you practice your faith in a church building you have no problems, but as soon as you act in accordance to your faith, for example, in the education of your children, the freedom ends rapidly.”

After the European Human Rights Court ruled that parents have no right to stop the state from indoctrinating their children, the U.S. Home School Legal Defense Association encouraged home schoolers in Germany to call or email the German Embassy with this message. “Over 40 innocent home school families have been prosecuted, fined and in some instances, had their children removed to state custody. This is an outrage. Many home school families are fleeing Germany to nearby European countries where home schooling is legal. The most incredible violation of human rights [in Germany] is the Busekros family, whose [15-year-old daughter] was put into a psychiatric ward and removed to an undisclosed location, all for the crime of home schooling. Germany will not long be known as a free nation if it suppresses the right to choose home schooling.”

The 15-year-old whisked away to a psychiatric ward by Germany’s officials was said to have “school phobia” and her home schooled five brothers and sisters may be taken into state custody. Does the term “school phobia” remind you of the “homophobia” label that’s tacked onto anyone in the U.S. who disagrees with alternate lifestyles and the homosexual agenda?

Over a month ago I reported that Senator Pearson introduced S.B. 35. It assures home-educated high school graduates who meet residency requirements that they will be considered for college on the same basis as public and private high school graduates. Home schoolers pay twice for education and a big chunk of their education taxes go to state colleges and universities that should be as accessible to home school graduates as they are to others.

ACTION – Support. Call Higher Education Committee Senators Harp, Ch., 404 463-3931; Cowsert, 463-1366; Staton, 656-5039; Chance, 651-7738; Davenport, 656-7586; Golden, 656-7580; Orrock, 463-8054; Thompson, 463-1318; and Wiles, 657-0406.

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