

Georgia insight

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

*On December 31, 1999 the U.S. flag over the Panama Canal was lowered for the last time.
On January 1, 2000, China took control of the Panama Canal.*

China, Georgia's Solicited Partner in Trade

Background. S.R. 225, introduced by Senator Sam Zamarippa, passed the Georgia Senate on April 8, 2003. It created "The Georgia-China Future" to study and strategize about a business framework to increase trade with China through a public private forum that would analyze the situation and recommend the best course of action. Initiative members met three times at GSU's Andrew Young School of Policy Studies where the 300 attendees at the first meeting heard executives from some of Georgia's leading businesses discuss trade with China.

Using 2002 figures, S.R. 225 showed the *lop-sided import/export business* between the U.S. and China. For example, in 2002, the total revenue from U.S. goods sold to China was \$22.05 billion, but that year the U.S. bought from China a whopping \$125.17 billion, giving China a six-to-one trade advantage over the U.S., plus the extra taxes imposed on U.S. goods entering other countries. The resolution, also, revealed that in the year 2000, Georgia ranked 26th in the nation in total value of exports to China. So, big whoop!

If China had traded with all 50 states equally, which it did *not* do, *each state would have sold to China about \$44 million*, give or take a dollar or two, but *each state would have bought from China over \$2.5 billion*. So, however it's considered, China has a six-to-one export/import advantage over the U.S.

S.R. 823 of 2004, also introduced by Senator Zamarripa, indicated the success of the Georgia-China Future initiative that met in 2003. His resolution welcomed to Georgia the Honorable Mo Wen Xiu, Vice Chairman of the All-China Women's Federation, and her China-America Partnership delegation that acknowledged the State of Georgia as a partner. The resolution committed Georgia to expanding commercial and cultural ties with the people of China.

Because of a Georgian, China controls the Panama Canal. The Carter-Torrijos Panama Treaties of 1978 set December 31, 1999 as the date Panama would take over the canal. China came in fourth in bids for its operation, but got the contract after agreeing to pay \$22.5 million a year, plus untold sums to unknown officials, for exclusive control over the canal's two ports.

On January 16, 1997 Panama passed Law No. 5 confirming a 50-year lease with Hutchison Whampoa (operating as Hutchison Port Holdings). That gave China control over the two ports built by the U.S. – Port Cristobal on the Atlantic end of the canal and Port Balboa on the Pacific end. Plus, Hutchison gained control over (a) all pilots operating vessels in the canal, (b) roads to strategic areas of the canal and (c) priority over all piers, public and private. Also, Law No. 5 authorized Hutchison Whampoa to (d) transfer contract rights to any third party registered in Panama, such as China, Cuba, Iraq, Iran, Libya or North Korea.

“Made in Georgia” Bill Passes

Status: Introduced January 28, 2008, passed the Senate February 14th, and passed the House March 20th.

S.B. 359 was introduced by Senator Tim Golden, Chairman of Senate Democrats, with bipartisan sponsorship – three Republicans and three Democrats – all of whom want to promote products made in Georgia. To accomplish that, S.B. 359 directs the Department of Economic Development to create and implement a “Made in Georgia” program. But, is it too late?

The program would (a) showcase and promote goods and products manufactured in Georgia. It would (b) inform Georgians of manufacturing in the state and (c) provide education to bring the science of manufacturing into the curriculum¹, while (d) emphasizing significant contributions Georgia companies make to the economy and quality of life in the state.

Why is “Made in Georgia” Important?

No Inspection is made on 99-Percent of Chinese Products Entering the U.S.

A huge part of manufacturing has gone overseas and some of Georgia’s largest companies boast of overseas branches and affiliates. Delta Airlines has China Southern as a worldwide partner. Home Depot, the world’s largest home improvement store, has two offices in China and buys most of its imports from China. The Coca-Cola Company’s connection with China goes back to 1927 and, currently, Coke has 24 bottling companies and 28 bottling plants in China.

In August 2007, tires made in China were missing the gum strip that glues the treads to the carcass of the tire. 450,000 were recalled. Also in 2007, pets, hogs and chickens began to sicken and die from tainted food. Cute toys and trinkets made in China included toxic amounts of lead. Some had been on the market for years and were purchased by unsuspecting parents.

Shrimp were fed from chicken droppings and 25 percent contained antibiotics not allowed in U.S. food and not destroyed by cooking. In China, seafood is raised in water mixed with bacteria-laden raw sewage. In May 2007, 900,000 tubes of toothpaste used by prisoners were recalled because it was contaminated with diethylene glycol, an ingredient in antifreeze.

Contaminated Drugs² and vitamins. The Government Accountability Office (GAO) reported that 80-percent of drug substances U.S. makers use in prescription drugs is imported – the majority from Communist China’s unregulated, unsupervised plants. China makes 80-percent of the world’s vitamin C, also a food additive, and exports 20-percent of generic and over-the-counter drugs. 40-percent of active ingredients for pills are produced in either China or India.

Shanghai, Hualian that exports to the U.S. has marketed contaminated leukemia drugs that paralyzed or otherwise harmed 200 Chinese cancer patients. Shanghai is the sole supplier to the U.S. of the abortion pill, mifepristone, known as RU-486. FDA computers estimate the number of drug factories exporting drugs to the U.S. could be from 3,000 to 6,800 and FDA has no idea how many have never been inspected. FDA would need 13 years to inspect every foreign drug plant just once and 27 years to inspect every foreign plant that sends the U.S. medical devices such as pacemakers and defibrillators. Of the 700 plants that produce medical devices, the FDA has inspected 64 in the last six years and relies on translators provided by the Chinese.

¹ School-to-Work (STW) curriculum provides on-the-job training during regular class time. By ninth grade, students must choose the job they want and their education is tailored to skills required to do it. The training is in local companies, including factories. STW allows schools to steer students into factories or service jobs instead of preparing them for liberal arts colleges where they may choose further education and professional careers.

² Source: Eagle Forum.org, “Free Trade in Dangerous Drugs,” by Phyllis Schlafly, February 13, 2008

Privacy-Invading? S.B. 430 DNA Collection

The Fourth Amendment limits government's authority to invade the individual's person and property without good cause.

Q. What is a bona fide "good cause" for invading personal privacy?

The advent of advanced technology may provide unimagined opportunities for us all, but progress often raises questions about its ethical use. At a time when many people choose to believe *The Constitution of the United States* is a "living" document that's outlived its usefulness, others know it's the foundation on which our country was founded, became great and will retain its greatness by adherence to its principles.

Although Amendment IV was placed in the Constitution in 1791¹, U.S. citizens continue to rely on its protection against "Unreasonable Search & Seizure." It states:

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

- The Fourth Amendment protects against invasions of privacy and unreasonable searches and seizures. So, a search must normally be accompanied by a warrant, supported by probable cause set forth in an affidavit, and must be authorized by a neutral and detached magistrate.

However, a warrant is not required when a search incident leads to a lawful arrest, when in hot pursuit of a fleeing felon, or in a bona fide emergency. Stop-and-frisk invasions of privacy can be justified with less than probable cause. That applies wherever an individual has a reasonable expectation of privacy, but not to items in plain view.

- Evidence seized in violation of the Fourth Amendment cannot be used in court unless an error was made in good faith.

S.B. 430 was introduced by Senator Bill Hamrick to further regulate the dissemination of DNA information in data banks. The new language allows the GBI to *collect* DNA from a suspect who has been *arrested for a felony* and *compare* the suspect's DNA to profiles obtained from samples collected as evidence in the crime.

However, if all charges are dropped or a conviction is overturned or the prosecuting attorney chooses not to pursue the charges, the suspect may request in writing that the GBI remove the DNA from the data base, unless there's another legitimate reason it's there.

Caution. DNA has been an invaluable tool for proving innocence or guilt, but amendments could make this bill better.

- The term "lawfully obtained" should be defined in S.B. 430.
- Probable cause should be evident before DNA is requested from a suspect.
- Personal permission should be required before DNA is collected.

Status of S.B. 430 – It passed the Senate on February 21st, by a vote of 47 to 1 and it passed the House 130 to 40 on March 19th. At this writing, the Senate has rejected the House version. That could force a conference committee to work out the language differences before it goes back to the House and Senate for a final vote. Also at this writing, no committee has been appointed and there are no legislators to contact until the committee is announced.

¹ *The United States Constitution: Its Development, Meaning, Undermining & Renewal*, A seminar of the Institute on the Constitution, by Dr. John Eidsmoe, Professor of Constitutional Law, Thomas Goode Jones School of Law, Faulkner Univ. Georgia Insight

Is the Issue Alcohol or, Per Clinton, “[Is it] the Economy, ‘Stupid’”?

Is the economy, really, more important than integrity and honesty? Should revenue increase at all costs or should protection of the populace be considered? The debate swirls around (a) who can sell alcohol, (b) where it can be sold, and (c) must it be sold 24/7 to keep businesses afloat.

At least nine bills to increase the flow of alcohol in Georgia were introduced during this two-year legislative term. Each is designed to increase someone's bank account. Two have been defeated. Some were kept in committee, but their authors hope to tack them onto other bills.

S.B. 454 allowing liquor sales on Sundays and **S.B. 385** authorizing limousine carriers to sell alcoholic beverages are in the House Rules Committee. **H.B. 1280** passed the House and is in the Senate Rules Committee. All three are poised to pass with only four days left this session.

On March 27th, Governor Perdue released an OP-Ed statement, excerpted as follows:

Do no harm. It may sound like a simple concept, but it is one that I am afraid supporters of Sunday alcohol sales may have forgotten.

In the 1990s, the citizens of New Mexico debated the issue of Sunday alcohol sales. On July 1, 1995, most counties in New Mexico began allowing the sale of alcohol on Sundays. The Robert Wood Johnson Foundation funded a study, published in the American Journal of Public Health, to uncover the legislation's long-term effects using data from the first five years that alcohol sales on Sunday were allowed. The study found that legalizing Sunday packaged alcohol sales “exact a significant price that is paid by crash victims and their loved ones, health care providers, insurers, law enforcement and the judicial systems.”

The study found that alcohol-related crashes increased by 29 percent on Sundays in counties that allowed sales. Those additional crashes led to a 42 per increase in alcohol-related fatalities on Sundays. If we apply these same percentages to Georgia's highways, using 2006 data from the Governor's Office of Highway Safety, we can expect approximate increases of 371 alcohol-related crashes and six alcohol-related fatalities per year.

No other day of the week saw a statistically significant change in the percentage of alcohol-related crashes and fatalities after the enacted legislation, according to the study. Counties that chose not to participate saw their Sunday accident and fatality statistics remain similar to before.

I urge the members of the General Assembly to heed the warning conveyed in the final sentence of the New Mexico study, “State legislators should consider [the] consequences when deciding on policy that is intended to serve the public well-being.”

Only 4 days left! So, please act immediately – Oppose S.B. 385 & S.B. 454. Contact Rules Republican Representatives Ehrhart, Ch., 404 656-5141; Parrish, 656-0213; Mills, 656-5099; Barnard, 656-5138; Bridges, 656-5143; Burkhalter, 656-5072; Casas, 656-0254; Channell, 656-7856; Coan, 656-6801; Cooper, 463-8142; Fleming, 656-5024; Golick, 651-7737; Keen, 656-5052; Lane, 656-5115; Lewis, 656-9198; Lunsford, 656-7146; Millar, 656-5064; Ralston, 656-5943; Rice, 656-5912; Roberts, 656-5025; Austin Scott, 656-5132; Vance Smith, 656-7153; Smith, 656-7149; Bob Smith 463-2247; Stephens, 656-5122; Len Walker, 656-5139; Willard, 656-5124; and Democrat Representatives Hugley, 656-5058; Porter, 656-5058; Cheokas, 656-0325; Hanner and Shaw, 656-7859; Jacobs, 656-0152; Mosby, 656-0287; Parham, 656-0202; Randall, 656-0109; Smyre, 656-0116.

Only 4 days left! So, please act immediately. – Oppose H.B. 1280. Contact Rules Committee Senators Balfour, 404 656-0095; Hamrick, 656-0036; Seabaugh, 656-6446; Adelman, 463-1376; Butler, 656-0075; 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; Rogers, 463-1378, (ex officio); Shafer, 656-0048, (ex officio).

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