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## HOUSE JOINT RESOLUTION NO. 148

Offered January 9, 2002

Prefiled January 9, 2002

*Establishing a joint subcommittee to study medical, ethical, and scientific issues relating to stem cell research conducted in the Commonwealth.*

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Patron—Marshall, R.G.

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Referred to Committee on Rules

WHEREAS, although the "commodification" of human beings existed in this Commonwealth and the United States from 1619 to 1865, the concept of human beings as property has been rejected by Americans in their constitution and in their deeply held belief in the value of human life; and

WHEREAS, Ronald Reagan, the 40th President of the United States, stated this country understood that the personhood of every American should be protected "from the moment of conception until natural death"; and

WHEREAS, the United States Patent and Trade Office rejected human commercialization in a ruling on April 7, 1987, which stated "A claim directed to or including within its scope a human being will not be considered to be patentable subject matter" under the federal patent law; and

WHEREAS, on August 25, 2000, the National Institutes of Health published guidelines relating to stem cell research and the funding thereof that called for the denial of funding for research involving stem cells derived from embryonic human beings created for research purposes and noted that President Clinton, many members of Congress and the NIH Human Embryo Research Panel and the National Bioethics Advisory Committee had all endorsed the "distinction between embryos created for research purposes and those created for reproductive purposes"; and

WHEREAS, the NIH guidelines also called for assurances that "there can be no incentives for donation" of human embryos and "any inducement for the donation of human embryos for research purposes" would be prohibited; and

WHEREAS, George W. Bush, the 43rd President of the United States noted on August 9, 2001, that he is "deeply troubled" by the creation of "human embryos in test tubes solely to experiment on them," and described this act as a "warning sign" to "all of us" as Americans; and

WHEREAS, Senator William Frist, distinguished physician representing the State of Tennessee in the United States Senate, has proposed as a first principle of ethical research that "the creation of human embryos solely for research should be strictly prohibited"; and

WHEREAS, recently a Massachusetts research company claimed that it had cloned the first human embryo, that "[t]his work sets the stage for human therapeutic cloning as a potentially limitless source of immune-compatible cells," and that this work provides "hope for people with spinal injuries, heart disease and other ailments"; and

WHEREAS, the Jones Institute of Norfolk recently published research involving stem cell research conducted through the creation of approximately 110 embryos developed with the purchased sperm and eggs from men and women; and

WHEREAS, this conduct established a trade in new human life that treats such lives as merchandise for manipulation and destruction; and

WHEREAS, reportedly, the Jones Institute screened and evaluated the fitness of new human life according to the absence of "cosmetic handicaps, and other eugenic formulations"; and

WHEREAS, the General Assembly of Virginia has, by way of HJR 607 of 2001, condemned past practices within the Commonwealth involving institutional involvement in eugenics and eugenic ideology; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study the medical, ethical, and scientific issues relating to stem cell research conducted within the Commonwealth. The joint subcommittee shall be composed of 17 members, which shall include 14 legislative members and three nonlegislative members as follows: eight members of the House of Delegates, to be appointed by the Speaker of the House, in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; six members of the Senate, to be appointed by the Senate Committee on Privileges and Elections; two citizen members to be appointed by the Speaker of the House; and one citizen member to be appointed by the Senate Committee on Privileges and Elections.

The joint subcommittee shall examine the medical, ethical and scientific policy implications of prohibiting the creation of embryos in vitro for any purpose other than bringing them to birth, and the

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59 criminalizing of the transfer of compensation, in cash or in-kind, to induce any person to donate sperm  
60 or eggs for any purpose other than procreation. The joint subcommittee shall also examine the efficacy  
61 of research using adult stem cells rather than embryonic stem cells.

62 The Division of Legislative Services shall provide staff support for the study. The Boards of Health  
63 and Medicine shall provide technical assistance to the joint subcommittee, as needed. All other agencies  
64 of the Commonwealth shall provide assistance to the joint subcommittee, upon request.

65 The direct costs of this study shall not exceed \$15,200.

66 The joint subcommittee shall complete its work by November 30, 2002, and shall submit written  
67 findings and recommendations to the Governor and the 2003 Session of the General Assembly as  
68 provided in the procedures of the Division of Legislative Automated Systems for the processing of  
69 legislative documents.

70 Implementation of this resolution is subject to subsequent approval and certification by the Joint  
71 Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the  
72 study.