

Senate Joint Resolution No. 38

RESOLUTION CHAPTER 163

Senate Joint Resolution No. 38—Relative to stem cell research.

[Filed with Secretary of State September 11, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

SJR 38, Ortiz. Stem cell research.

This measure would memorialize the President and Congress of the United States to reject legislation impeding stem cell and therapeutic cloning research, and to enact legislation that would impose a ban on reproductive cloning, permit research involving therapeutic cloning, establish a process to facilitate the donation of stem cell materials to researchers, and create guidelines to oversee stem cell research in the United States.

WHEREAS, The United States is a world leader in the discovery and invention of technology that improves the health and quality of lives of individuals; and

WHEREAS, California is a state whose scientific achievements and research regarding recombinant DNA outstrip the rest of the country; and

WHEREAS, California's success with respect to biotechnology is largely attributable to the freedom of researchers to perform pioneering work at the frontiers of scientific discovery; and

WHEREAS, The biotechnology industry contributes to the growth of the state and national economy, and produces a significant amount of jobs and revenue; and

WHEREAS, Therapeutic cloning promises to be the next field of rapid progress in the realm of biotechnology; and

WHEREAS, Scientists confirm that embryonic stem cells hold far more potential than adult stem cells as to the development of treatments and cures for disease; and

WHEREAS, A prohibition on stem cell research would stifle scientific innovation, diminish the ability of biomedical companies to maintain the nation's role as the reigning world leader in biotechnology and biomedicine, drive talented scientists outside the country, and set the United States decades behind other nations in the development of medical therapies; and

WHEREAS, An estimated 128 million Americans suffer the debilitating physiological, economic, and emotional burdens of chronic



and degenerative diseases, including diabetes, heart disease, Parkinson's disease, spinal cord injury, cancer, and Alzheimer's disease; and

WHEREAS, The cost of treatment for these diseases and of lost productivity totals hundreds of billions of dollars every year; and

WHEREAS, Stem cell research provides a critical means to unlock fundamental questions of cellular biology that are key to curing cancer; and

WHEREAS, Stem cell research has immense potential to provide medical therapies to cure and treat many other debilitating diseases; and

WHEREAS, A prohibition on stem cell research and therapeutic cloning will deny over one-third of Americans their foremost opportunity for a cure or effective treatment for disease, by denying scientists the chance to develop efficient medications and therapies; and

WHEREAS, The United States has historically been a haven for scientific inquiry and technological innovation, and this environment of scientific openness, coupled with a commitment of public and private resources, has made this country the reigning leader in the fields of biomedicine and biotechnology; and

WHEREAS, California's biomedical industry constitutes a significant portion of the state's economy, employing over 225,000 Californians in over 2,500 companies, investing more than \$2.1 billion in research, and creating \$12.8 billion in wages and salaries worldwide as well as revenues of nearly \$7.8 billion; and

WHEREAS, The biomedical industry would be considerably harmed by a prohibition of stem cell research and therapeutic cloning; and

WHEREAS, Proposed federal legislation that imposes barriers to this research prioritizes the religious values of a national minority ahead of the public health interests of Californians and all Americans, criminalizes the legitimate pursuit of effective medical therapy, and prevents physicians from fulfilling their moral and professional obligation to offer patients the best treatment available; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California memorializes the President and Congress of the United States to reject legislation that inappropriately impedes the progress of medical science by impeding stem cell and therapeutic cloning research, and denies Americans legal access to effective medical therapies; and be it further

Resolved, That the Legislature memorializes the President and Congress of the United States to enact legislation that would do all of the following:

- (1) Impose a ban on reproductive cloning.



(2) Permit research involving therapeutic cloning, including the derivation of or use of stem cells from any source.

(3) Establish a process to facilitate the donation of material containing stem cells to researchers and ensure this material is donated by informed participants who provide written consent.

(4) Establish guidelines to oversee stem cell research conducted in the United States to ensure that this research is safe and is conducted within appropriate medical, ethical, and moral parameters; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Senate Committee on Rules, the Speaker of the Assembly, the Chair of the Senate Committee on Health and Human Services, and the Chair of the Assembly Committee on Health, and to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

