

Other states looking to spend public money on stem cell research
By [Malcolm Maclachlan](#)



(published January 19th, 2006)

During the 2004 elections, supporters of California's Proposition 71 stem cell effort said they hoped the initiative would serve as an example to other states. As more than a dozen other states pursue their own stem cell efforts, it appears California is in fact being used as an example--but in some cases, it is being held as an example of what not to do.

While critics of California's stem cell agency have focused on what they see as conflicts of interests and unfulfilled promises, observers in other states say the far bigger problem is the sheer size and visibility of California's program.

"A key lesson so far has been that low profile efforts seem more effective," said Aaron Levine, a PhD. candidate at Princeton University who has been studying stem cell campaigns in different states. "Because Proposition 71 dealt with such large sums of money, it became a national, if not international, issue and attracted significant opposition."

The debate also took place in the shadow of the Bush administration's efforts to limit the scope of stem cell research, which helped give the California measure national attention.

While Prop. 71, which earmarked \$3 billion in public funds to be used for stem cell research over the next 10 years, passed with 59 percent of the vote, the agency it created was immediately saddled with three major lawsuits by anti-abortion groups. While two of these lawsuits have since been thrown out and a third received a major legal setback late last year, these suits have seriously effected the California Institute of Regenerative Medicine's (CIRM) ability to hand out grants.

By contrast, Levine said, states like New Jersey and Connecticut have put forth far more limited efforts--Connecticut's program would give out \$100 million over ten years--and met far less serious opposition. Neither creates a "mini [National Institute of Health]" like the CIRM, Levine said.

New Jersey Assemblyman Neil Cohen, a key sponsor of New Jersey's ballot initiative, said that he sought to avoid what he saw as several problems with Prop. 71. The New Jersey initiative before voters this fall would not create a giant new agency and does not seek to provide intellectual property returns to the state. The goal, he said, is to give no-strings grants to whoever can get actual cures to people the quickest--and stay away from tricky intellectual property complications. Cohen said that the promises of up to \$1.1 billion in intellectual property returns to taxpayers have created big public relations problems in California.

"That's no way to secure bonds," Cohen said. "Future revenue on things that aren't even invented yet?"

New Jersey's price tag is also much lower: \$350 million.

"Alex Rodriguez signed for that," Cohen joked, citing the baseball star's 10 year, \$252 million contract from 2001.

In some states, there is no money involved at all. Fiona Hutton, president of Red Gate Communications, was a lead communications person on the Prop. 71 campaign. Her company is now helping with efforts in Missouri and Kansas that would do nothing more than write explicit language into state constitutions allowing private companies to conduct stem cell research. In Missouri she said, there was actually suggested legislation that would have barred residents from receiving therapies developed with stem cells, even if they were pioneered elsewhere.

"They [stem cell research supporters] didn't want to have to keep beating that back every year," Hutton said.

Bernie Siegel, executive director of the Genetics Policy Institute, is leading an initiative in Florida that would give \$200 million for embryonic stem cell research. The initiative would not create a new state agency, something he said could have vastly complicated efforts to pass it in a tax-wary state. Furthermore, he said, Florida's law severely restricts the length and scope of ballot initiatives.

"If you look at Prop. 71, it's like the income tax code," Siegel said. "You read our initiative, it's like a haiku."

Stanford stem-cell researcher Roger Noll said California, with its huge economy and wealth of prominent research universities, was the natural leader in state stem cell efforts. However, he conceded that Prop. 71's creators could have made their lives easier by involving legislators early on. This might have allowed them to avoid challenges such as those from Sens. Debra Ortiz, D-Sacramento, and George Runner, R-Lancaster who have also focused on intellectual property issues.

However, several people said that other state's efforts owe a debt to California. Hutton noted that many of the current efforts were born in the weeks after Prop. 71 passed. Siegel said that the initiative "validated" the concept of state-funded stem cell research.

"I'm not a critic of Prop. 71," Siegel said. "I'm in awe of Prop. 71."
Malcolm MacLachlan is a Capitol Weekly staff reporter.