

May 3, 2010

## Voters have spoken on stem cell research

In November 2008, a majority of Michigan voters — and a majority of Livingston County voters — cast ballots to amend the constitution to specifically allow stem cell research to be conducted here.

Actually, voters went further — they told lawmakers to keep their hands off stem cell research. Drafters of Proposal 2 feared the Legislature would try to tamper with the proposal, so they included wording that the state could not pass laws that “restrict, obstruct or discourage” stem cell research. Voters approved that wording, too.

Naturally, last month, lawmakers in Lansing took another crack at trying to regulate stem cell research. On April 21, state senators approved a package of bills they say would implement and provide penalties for Proposal 2. Sen. Tom George, a Republican from Kalamazoo County who sponsored the primary bill and is a candidate for governor, said the package is mainly about requiring researchers to file reports with the state, requirements considered to be standard practice in other states that allow stem cell research.

Advocates of stem cell research say that’s not true. The legislation would not only discourage research, they say, but would make the state downright hostile to researchers. They also contend lawmakers in Lansing are attempting to overturn the will of the voters.

Sheri Mark, president of Michigan Citizens for Stem Cell Research & Cures, said the paperwork required by the bills would be burdensome and unnecessary. The federal government, through the National Institutes of Health, already oversees stem cell research and has its own reporting requirements.

The bills also include “ridiculous penalties,” she said. One example is the possibility of a one-year jail term for reporting violations. Compare that to the slap-on-the-wrist fines lawmakers face when they fail to turn in their campaign-finance statements on time.

But the biggest concern for Mark is that the bills might make some embryos, left over from fertility treatments, unavailable to researchers. The problem is in the definitions contained in the bill, specifically the definition of those “unsuitable for clinical use.” She explained that some stem cells, which have genetic markers for disease would be considered implantable, but few parents would select them to be used. The end result, she said, is that the embryos, because of the wording of the definition, would have to be tossed out as medical waste rather than be available for research. She argued those embryos would be some of the most highly useful to study, precisely because they have genetic markers for disease.

Another concern is that the package sets penalties for “improper use” of an embryo or for stem cell research for “nontherapeutic” purposes. The penalty is rather hefty — five years in prison.

The term “improper use” is vague. And therapeutic versus nontherapeutic may be arguable. It is not as if every medical study conducted results in a cure. Think about how long researchers have been trying to find a cure for cancer.

So merely questioning the therapeutic validity of a stem cell study, under these bills, is tantamount to the threat of a five-year jail term for a researcher.

Does that make the state hostile to stem cell research? Yes, we would certainly think so. What scientist would be willing to risk that kind of jail time for what would be considered research in other

states?

Research resulting from Proposal 2 is just getting under way. Universities are gearing up. Scientists are returning to the state. The 2010 World Stem Cell Summit is scheduled to come to Detroit this October.

It's time for lawmakers to drop this topic and move on to other myriad important issues confronting this state. Like it or not, voters have spoken.

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