

# SENATE BILL REPORT

## SB 5594

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As Reported By Senate Committee On:  
Labor, Commerce, Research & Development, February 28, 2005

**Title:** An act relating to stem cell research and human cloning.

**Brief Description:** Regulating stem cell research and human cloning.

**Sponsors:** Senators Kohl-Welles, Keiser, Franklin, Thibaudeau and Kline.

**Brief History:**

**Committee Activity:** Labor, Commerce, Research & Development: 2/8/05, 2/28/05 [DPS, w/oRec].

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### SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

**Majority Report:** That Substitute Senate Bill No. 5594 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Parlette, Ranking Minority Member; Brown, Hewitt, Keiser and Prentice.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Honeyford.

**Staff:** Jennifer Strus (786-7316)

**Background:** Stem cells have the ability to develop into many different cell types. Unlike other types of cells, stem cells are unspecialized, capable of dividing and renewing themselves for long periods, and can be induced to become cells with special functions, such as muscle cells, red blood cells, or brain cells. Current research using stem cells pertains to diabetes, Parkinson's disease, heart disease, and spinal cord injury.

Cloning is a process by which a genetically identical organism is created by asexual reproduction, i.e., without the fertilization of an egg by a sperm. Sheep, cows, cats, and mice have all been cloned successfully. The procedure used to create a clone is called somatic cell nuclear transfer, or nuclear transplantation. By transplanting the nucleus from an adult body (somatic) cell into an oocyte that has had its nucleus removed or inactivated, a genetically identical animal may be created.

**Summary of Substitute Bill:** The policy of Washington State is to permit research involving the use of human embryonic stem cells, human embryonic germ cells, and human adult stem cells upon full consideration of the ethical and medical implications.

Health care providers that deliver fertility treatment must provide patients with adequate information to make an informed choice regarding the disposition of unused human embryos. Patients must be given four options for disposing of unused embryos: storing them; donating

them to another individual; discarding them; or donating them for research. Before donating any unused embryos for research, the patient must provide written consent.

Donating human embryonic tissue or human cadaveric fetal tissue for research is permitted. The sale of such tissues is a felony.

Reproductive cloning of a human being or attempting to reproductively clone a human being is prohibited and carries a civil penalty of three hundred thousand dollars for each violation.

**Substitute Bill Compared to Original Bill:** Clarifies that the type of human cloning that is prohibited is reproductive cloning.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** Human embryonic stem cell research appears poised to transform virtually all areas of medicine. Unlike adult stem cells, human embryonic stem cells have the innate potential to form all human tissues. Many diseases that are today considered incurable will one day be treated, and even cured, using human embryonic stem cells. Recent evidence suggests that many of these diseases are unlikely to be effectively treated using adult stem cells. Stem cell research is a new and currently under-funded field. Embryonic stem cell research will be conducted whether this bill passes but we, as a state, need to facilitate this process and strive to assist current patients while building a biomedical research industry in this state. Many states are aggressively supporting new research into human embryonic stem cells. These states recognize that investment in research, and in higher education, pays for itself many times over in job creation. For Washington State to remain a world leader in biomedical research, public policy must be crafted to ensure that researchers have the tools necessary to fulfill the promise of stem cell research and maintain Washington's leadership in biomedical research.

Concerns: Support all parts of the bill except those that would allow research using embryonic stem cells to be funded.

**Testimony Against:** The state should not pursue the questionable and risky outcomes associated with embryonic stem cell research when adult stem cell research is clearly proved to be effective. This bill should not also contain the cloning issue; it should be dealt with separately. This bill is not needed. There is currently no ban on human cloning or embryonic stem cell research in this state or at the federal level. Fertility clinics in this state currently offer patients the option of donating leftover embryos for research. This bill is not needed to allow adult stem cell research, which can be federally funded. The language in this bill would allow a cloned embryo to be cultivated for his or her body parts well beyond the embryonic stage. The term "human cloning" is not properly defined in the bill.

**Who Testified:** PRO: Hans Wold, Northwest Huntington Disease Society; Anne Lyons, Juvenile Diabetes Research Foundation; Bruce Hanson, citizen; Alex Goldberg, Washingtonians for the Advancement of Medical Research; Terry Craig, ALS Association; Randall Moon, Director, UW Center for Developmental Biology; Charles Murry, M.D., Tony

Blau, Hematologist; Ann Hedreen, White Noise Productions; Dr. Neil Hampson, citizen; Jackie Der, UW School of Medicine; Ruth Shearer, retired scientist; Linda Hull and Jack Faris, WBBA.

CON: Terry Calica, citizen; Doug Gardner, citizen; Coral Higby, M.D.; Sharon Quick, M.D., American Academy of Medical Ethics; Bob Higley, WERG.

CONCERNS: Matt Muckler, Washington State Catholic Conference.