

Date of Hearing: June 24, 2014

ASSEMBLY COMMITTEE ON HIGHER EDUCATION
Das Williams, Chair
SB 836 (Corbett) – As Amended: May 27, 2014

SENATE VOTE: 37-0

SUBJECT: Brain research: Cal-BRAIN program.

SUMMARY: Establishes the California Blueprint for Research to Advance Innovations in Neuroscience Act of 2014 (Cal-BRAIN) and requests the University of California (UC) Regents to establish the Cal-BRAIN program. Specifically, this bill:

- 1) Finds and declares that California is poised to be a world leader in brain research given the prominent role of scientists and industry leaders throughout the state; the federal BRAIN Initiative has the potential to be a major driver of new industries and jobs in biotechnology, artificial intelligence, and information technologies, as well as a catalyst for major breakthroughs in brain-related diseases, injuries, and illnesses; and, given California's assets and capacity for collaboration, entrepreneurship, and innovation, a state investment to expand and accelerate this research in the state and to promote the translation of breakthroughs into the marketplace is an important investment in the intellectual infrastructure for California's economic future.
- 2) Requests the UC Regents to establish the Cal-BRAIN program to leverage research assets and the federal BRAIN Initiative's funding opportunities to accelerate the development of brain mapping techniques, including the development of new technologies, which will create new, high-paying jobs in California while advancing patient care and improving lives, in order to achieve outlined goals.
- 3) UC is requested to convene stakeholders from public and private research institutions, national laboratories, biotechnology and high technology companies, and venture capital firms to develop the governing structure for the Cal-BRAIN program.
- 4) Requires the Cal-BRAIN governing structure to be designed to adopt a research plan that identifies milestones for achieving goals; establish competitive, merit-based opportunities for interested public and private California research institutions and national laboratories to apply for funding; maintain flexibility to adjust priorities and focus based upon knowledge gained from scientific discoveries; establish a technology transfer program; and, solicit contributions with a goal of achieving a nonstate funding match that meets or exceeds the financial investment by the state.
- 5) Requests the UC Regents provide information about the Cal-BRAIN program through an Internet Web site, including a brief description of funded projects and activities.
- 6) Provides that the Act is implemented only to the extent that adequate funding for its purposes, as determined by the UC Regents, is appropriated to UC in the annual Budget Act or other statute.

EXISTING LAW establishes UC as a public trust and confers upon the Regents of UC the full powers of its organization and government, subject only to legislative controls that may be necessary to ensure the security of its funds and compliance with the terms of its endowments.

FISCAL EFFECT: According to the Senate Appropriations Committee, if UC chooses to implement, approximately \$200 million from the General Fund over four years for the UC to establish the Cal-BRAIN program. Substantial ongoing state costs, potentially offset to an unknown degree by federal and private funds.

COMMENTS: Double-referral. This bill was heard and approved in the Assembly Health Committee on June 17, 2014.

Federal BRAIN Initiative. In April 2013, President Obama announced the Brain Research through Advancing Innovative Neurotechnologies (BRAIN) Initiative, within the National Institutes of Health (NIH). The Initiative was launched with approximately \$100 million aimed to help researchers find new ways to treat, cure, and prevent brain disorders, such as Alzheimer's disease, epilepsy, and traumatic brain injury. NIH has established a working group, which, in September 2013, issued an interim report identifying high priority research areas for 2014 grant funding. Longer-term scientific goals are expected to be released later this year. In total, NIH plans to invest \$40 million in Fiscal Year 2014 in research to support the President's BRAIN Initiative.

Purpose of this bill. According to the Author, the Cal-BRAIN program is designed to leverage California's assets and capacity for collaboration, entrepreneurship and innovation, combined with federal BRAIN Initiative funding, to help California harness the economic potential of brain mapping techniques and technologies to create jobs and industries of the future, while improving lives. The author believes this bill is needed to give legislative direction to the UC Regents about how the program should be run, who should be eligible to participate, and what it should accomplish. The author argues that the UC should use the expertise of our world-renowned public and private research institutions and private sector partners to advance cutting-edge brain mapping research that can reveal the causes and lead to treatments for brain injuries and disorders, such as Alzheimer's, autism, multiple sclerosis, ALS, and mental illness. It can also lead to advancements in artificial intelligence, robotics, and information technologies, such as computers and cellphones.

Constitutionally allowable legislative controls over UC. The California Constitution (Section 9 of Article IX) establishes UC as a public trust and confers the full powers of the UC upon the UC Regents. The Constitution establishes that the UC is subject to legislative control only to the degree necessary to ensure the security of its funds and compliance with the terms of its endowments. Judicial decisions have held that there are three additional areas in which there may be limited legislative intrusion into university operations: authority over the appropriation of state moneys; exercise of the general police power to provide for the public health, safety and welfare; and, legislation on matters of general statewide concern not involving internal university affairs. This bill requests, but does not require, UC to establish the Cal-BRAIN program. UC has not taken a position on this measure.

REGISTERED SUPPORT / OPPOSITION:

Support

Alzheimer's Association
Association of Regional Center Agencies
BayBIO
BIOCOM
California Public Defenders Association
Golden West Chapter of the ALS Association
National Women's Political Caucus
Neurotechnology Industry Association
San Diego Brain Injury Foundation
UC Student Association
Several individuals

Opposition

None on file.

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