

SECOND REGULAR SESSION

# SENATE BILL NO. 701

90TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR WIGGINS.

Pre-filed December 7, 1999, and 1,000 copies ordered printed.

2535S.011

TERRY L. SPIELER, Secretary.

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## AN ACT

To amend chapters 188 and 301, RSMo, by adding thereto three new sections relating to the promotion of alternatives to abortion.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapters 188 and 301, RSMo, are amended by adding thereto three new sections, to be known as sections 188.450, 188.453 and 301.3030, to read as follows:

**188.450. 1. There is hereby established the "Missouri Respect Life Commission" within the office of administration. The commission shall consist of thirteen members, two who shall be members of the Missouri senate, one from the majority party and one from the minority party, appointed by the president pro tem of the senate, two who shall be members of the Missouri house of representatives, one from the majority party and one from the minority party, appointed by the speaker of the house of representatives, and nine members, one from each congressional district, appointed by the governor with the advice and consent of the senate. Not more than five congressional district members shall be from the same political party.**

**2. The four members appointed from the general assembly shall serve during their term as a member of the general assembly, and the nine congressional district members shall serve four-year terms, except that of the initial appointments, five shall be appointed for a term of four years and four shall be appointed for a term of two years. Before the expiration of the term of a congressional district member appointed by the governor, the governor shall appoint a successor whose term begins on July first next following. Each member shall serve until his or her successor is appointed. A member is eligible for reappointment. If there is a vacancy of a congressional district member for any cause, the governor shall make an appointment for the unexpired term with the advice and consent of the senate.**

**3. To be eligible for appointment to the commission, a person shall demonstrate agreement with the principles and goals set forth in this section regarding respect for innocent human life from conception until natural death, and the need to offer and promote alternatives to abortion services for pregnant women so that such women are encouraged to carry their pregnancies to term instead of having abortions. In making congressional district member appointments to the commission, the governor shall consider nominees recommended to the governor for appointment by right-to-life organizations of this state.**

**4. Any congressional district member may be removed by the governor for misconduct, incompetency or neglect of duty after first being given the opportunity to be heard on his or her own behalf.**

**5. The commission shall elect one of its members to serve as chairperson, and may elect such other officers and establish such committees as deemed necessary.**

**6. The commission may appoint an executive director who shall serve subject to the supervision of and at the pleasure of the commission. The executive director shall be responsible for the administrative operations of the commission and shall perform such other duties as may be delegated or assigned to the executive director by law or the commission. The office of administration shall provide all necessary office space, facilities and equipment. The executive director may hire and set the compensation of such staff as is approved by the commission, within the limitations of appropriations for this purpose.**

**7. Each member of the commission shall serve without compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of his or her duties.**

**8. The commission shall exercise its powers and duties independently of the office of administration, except that budgetary, procurement, accounting and other related management functions shall be performed by the office of administration.**

**9. The commission shall meet at least quarterly.**

**10. The powers and duties of the Missouri respect life commission shall include, but not be limited to, the following:**

**(1) To disburse funds from the Missouri alternatives to abortion support fund and any other funds authorized by law to be disbursed by the commission;**

**(2) To consult with appropriate state agencies, commissions, boards and public and private agencies to determine the effectiveness of, and need for, alternatives to abortion services and effectiveness of, and need for, programs that foster respect for human life both before and after birth;**

**(3) To facilitate information exchange and coordination among agencies and groups concerned with offering and promoting alternative to abortion services, and**

concerned with offering and promoting programs that foster respect for human life both before and after birth;

(4) To develop statewide educational and public informational campaigns, conferences and workshops for the purpose of developing appropriate public awareness regarding respect for human life both before and after birth, and the need to offer and promote alternative to abortion services;

(5) To identify those groups of pregnant women at risk of obtaining abortions, identify problems and conditions such pregnant women have and encounter which causes them to choose to obtain abortions instead of choosing to carry their pregnancies to term, and propose solutions to such problems and conditions;

(6) To recommend statutory changes and appropriations to promote alternative to abortion services and to promote programs that foster respect for human life both before and after birth;

(7) To solicit and accept general revenue, grants, gifts, bequests, contributions or other aid from the general assembly, any person or business, organization or foundation, public or private, or from federal, state or local sources; and

(8) To perform any other functions or duties consistent with the provisions of this section or otherwise required by law.

11. The Missouri respect life commission shall submit an annual report of its activities to the president pro tem of the senate, the speaker of the house of representatives and the governor before December thirty-first of each year.

188.453. 1. There is hereby established in the state treasury the "Missouri Alternatives to Abortion Support Fund". The state treasurer shall credit to and deposit in such fund all moneys which may be required by law to be credited to or deposited in such fund, all moneys which may be appropriated to it by the general assembly, other amounts which may be received from general revenue, grants, gifts, bequests or from federal, state or local sources, and any other sources granted or given for this specific purpose.

2. The state treasurer shall invest moneys in the Missouri alternatives to abortion support fund in the same manner as surplus state funds are invested pursuant to section 30.260, RSMo. All earnings which result from the investment of moneys in the Missouri alternatives to abortion support fund shall be credited to such fund.

3. The provisions of section 33.080, RSMo, requiring all unexpended balances remaining in various state funds to be transferred and placed to the credit of the general revenue fund of this state at the end of each biennium, shall not apply to the Missouri alternatives to abortion support fund.

4. The Missouri respect life commission shall administer the Missouri alternatives to abortion support fund. Moneys credited to and deposited in the fund

shall only be used by the commission for the purposes authorized pursuant to this section or as otherwise provided by law.

5. Until the amount in the Missouri alternatives to abortion support fund exceeds one million dollars, not more than one-half of the money credited to and deposited in the fund from all sources, plus all earnings from the investment of moneys in the fund credited to the fund during the previous fiscal year, shall be available for disbursement by the Missouri respect life commission pursuant to this section. When the state treasurer certifies that the assets in the fund exceed one million dollars, all credited earnings plus all future credits to the fund from all sources shall be available for disbursement by the commission within the limits of appropriations for the purposes of this section. The general assembly may appropriate moneys annually from the Missouri alternatives to abortion support fund to the office of administration to pay the expenses incurred by the office of administration for budgetary, procurement, accounting and other related management functions performed by it relating to the Missouri respect life commission, to the commission for the expenses of its members, and to the commission for employee salaries.

6. The purpose of the Missouri alternatives to abortion support fund is to support those private agencies which are:

- (1) Established primarily to provide alternative to abortion services, and which do not perform or refer for abortions;
- (2) Located in this state; and
- (3) Exempt from income taxation pursuant to the United States Internal Revenue Code.

For purposes of this section, the term "alternative to abortion services" means services or counseling offered to a woman with a crisis pregnancy or unplanned pregnancy specifically to assist her in carrying her pregnancy to term instead of having an abortion.

301.3030. 1. Any person may receive specialized license plates with words and an emblem which denotes respect for human life both before and after birth, pursuant to this section, for any vehicle such person owns either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight after a contribution of at least twenty-five dollars to the Missouri alternatives to abortion support fund as established in section 188.453.

2. The specialized license plates shall bear the words "RESPECT LIFE" in place of the words "SHOW-ME STATE", shall bear an image of a single red rose placed on the plate in a conspicuous manner, and shall have a background with a color scheme chosen by the commission to complement and highlight the words "RESPECT LIFE" and the image of the red rose. Such license plates shall be made with fully reflective

material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. A fee for the issuance of personalized license plates pursuant to section 301.144 shall not be required for plates issued pursuant to this section.

3. The contribution of at least twenty-five dollars to the Missouri alternatives to abortion support fund shall be made to the director of revenue at the time of registration of the vehicle. The director shall transfer such contributions to the state treasurer for deposit in the Missouri alternatives to abortion support fund as established in 188.453. Upon the receipt of such contribution, payment of the regular registration fees and presentation of other documents which may be required by law, the director of revenue shall issue the specialized license plates to the vehicle owner.

4. There shall be no limit on the number of sets of the specialized license plates a person may obtain pursuant to this section so long as such license plates are issued for vehicles owned solely or jointly by such person, and so long as a contribution of twenty-five dollars is made for each set of specialized license plates.

5. A vehicle owner who was previously issued the specialized license plates but who does not make a contribution of at least twenty-five dollars to the Missouri alternatives to abortion support fund as established in section 188.453 at a subsequent time of registration shall be issued new plates which are not respect life license plates, as otherwise provided by law.

6. The director of revenue shall issue samples of the specialized license plates to all offices in this state where vehicles are registered and license plates are issued. Such sample license plates shall be prominently displayed in such offices along with literature prepared by the director, by the Missouri respect life commission, or jointly, describing the license plates, the Missouri alternatives to abortion support fund, and the purposes for which the fund was created.

7. The general assembly may appropriate moneys annually from the Missouri alternatives to abortion support fund to the department of revenue to offset costs incurred for collecting and transferring contributions pursuant to this section.

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