

State Senator Robert Mayer The Mayer Memo

Senator Robert Mayer - Serving Butler, Dunklin, New Madrid, Pemiscot, Ripley, Stoddard & Wayne Counties



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Number of Legislative Successes Protecting the Unborn Counted Over the Last 20-Plus Years

I had the chance to meet with and address the SEMO Life Chain group recently — a group from southeast Missouri that shares my belief in the sanctity of life and a commitment to fight for protections for the unborn.

Earlier this year, I sponsored a bill in the General Assembly ([SB 264](#)) that would have offered more protections for pregnant women and unborn children in Missouri by strengthening the area of the law that requires prior, informed and written consent before an abortion and would have made it a crime to coerce an abortion. A slimmed-down version of the bill that removed the coercion component passed in the Senate following urging by Senate leadership to overturn a filibuster by a small group of senators who worried the bill would criminalize parental advice to minors. Ultimately, the bill died in the Missouri House when both sides could not reach consensus in the final days of the 2009 legislative session. I supported the revised bill because it would have required a woman to be given the opportunity to view her unborn child by ultrasound, hear the heartbeat, and implemented other protections for pregnant women and unborn children. While I was very disappointed that this legislation did not pass this year, I believe we came very close to reaching a reasonable solution on this complex and controversial issue.

The issue remains very much in the headlines today as pro-life supporters are concerned about the possibility of federal funding for abortions being included in proposed health care reform under consideration by Congress. Also, a Missouri pro-life group just recently filed language with the Secretary of State's office to put a citizen initiative on the November 2010 ballot seeking to protect state tax dollars from being used for abortions not medically necessary to save the life of the mother, abortion services, human cloning or other controversial human research. This is the group's second attempt to get a constitutional amendment before Missouri voters.

The Missouri General Assembly has made tremendous strides over the past 20 years in passing legislation that affirms life over abortion. Just two years ago, Missouri passed one of

the strongest pieces of pro-life legislation in our state's history. House Bill 1055 added new restrictions to abortion clinics and barred groups that provide abortion services from participating in sex-education instruction in public schools. The bill also made permanent *Missouri's Alternatives to Abortion Program*, which provides state-funded grants to pregnancy centers that encourage women to give birth rather than have an abortion.

This year, I am very happy to report that the *Alternatives to Abortion Program's* \$1.9 million funding approved by the General Assembly will remain intact after months of speculation that the governor was going to withhold it due to budget constraints. The program, available since 1994 and now part of state law, offers medical and mental-health services, job training, food, housing, clothing and other services to women during pregnancy and the year following the child's birth.

Here are some other important dates in the timeline of legislation passed by the General Assembly to provide more protections for the unborn:

1986 — Passed a law requiring parental consent for minors seeking an abortion; prohibition on government funding or use of public facilities for abortions; and conscience protections for doctors and hospitals not wanting to perform or induce abortions. (**HB 1596**).

1988 — Passed a law prohibiting performing or inducing abortions in order to use fetal organs or tissue for transplantation or experimentation. (**HB 1479**).

1999 — Passed a partial-birth abortion ban, the *Infant Protection Act*. (**HB 427**).

2003 — Passed legislation that requires a 24-hour waiting period and an informed consent law that provides an opportunity to consider the gravity of a decision to abort a child. (**HB 156**).

2005 — Passed a law stating that no person shall intentionally cause, aid or assist a minor to obtain an abortion without the required informed consent (**SB 1**).

In a related item, in 1989 the Supreme Court upheld the constitutionality of the State of Missouri's abortion statute in *Webster v. Reproductive Health Services*. In its 5-4 decision, the majority did not overrule *Roe vs. Wade*, but it indicated that it was willing to apply a less stringent standard of review to state restrictions on abortion — making it clear that state legislatures have considerable discretion to pass restrictive legislation in the future, with the likelihood that such laws would probably pass constitutional muster.

As we look to the 2010 legislative year, I will continue to focus on this important issue and pledge to continue my work to ensure that those who cannot speak for themselves have a voice in state government.

As always, if you have comments or questions about this week's column or any other matter involving state government, please do not hesitate to contact me. You can reach my office by phone at 1-877-291-5584.

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