

HCS HJR 98 -- RIGHT TO LIFE

SPONSOR: Moon

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Standing Committee on Children and Families by a vote of 8 to 3. Voted "Do Pass with HCS" by the Select Committee on Social Services by a vote of 7 to 2.

Upon voter approval, this proposed constitutional amendment adds unborn human children at every stage of biological development to the list of people who have a natural right to life, liberty, the pursuit of happiness and the enjoyment of the gains of their own industry in Missouri. The amendment declares that Missouri recognizes the right to life of every unborn human child at every state of biological development and must protect such life from deprivation by the state or private action to the extent permitted by the Constitution of the United States. The amendment declares that nothing in the Constitution of Missouri secures or protects a right to abortion or requires the funding of an abortion. The amendment declares that the people retain the right through their elected state Representatives and state Senators to enact, amend, or repeal statutes regarding abortion.

PROPOSERS: Supporters say that the Tenth Amendment to the United States Constitution reserves anything not given specifically to the federal government to the states. This resolution contains corrective language to show the intent of the state legislature and the will of the people of Missouri. The resolution protects the health of women and their unborn children. It would be unacceptable and cause major outrage to suck out baby cats and dogs from their pregnant mother, yet we hear crickets when we talk about doing so with women. In Roe v. Wade, the U.S. Supreme Court rejected personhood for embryos but in the opinion conceded that if personhood could be established the court would have to reconsider their opinion. A medical study showed that life begins at conception. Missouri statute states clearly that life begins at conception which is at fertilization. Medical advances since 1973 have found that if the mother's life is at risk or the baby's life is at risk, there can be a surgeon working on the mom while simultaneously another surgeon is treating the baby in utero. If you murder a pregnant woman you can be charged with two murders. The goal of the resolution is to give personhood to everyone from the point of conception, thus requiring due process rights. One supporter said that as a former embryo he wants protection for all embryos.

Testifying for the bill were Representative Moon; Bonnie Lee; Janet D. Farror; Rebecca Kressling, Personhood Alliance; Save The 1;

Embryo Defense; and Todd Isaac Skelton.

OPPONENTS: Those who oppose the bill say that the resolution is unconstitutional. It should be the right of the patient to make the decision regarding her pregnancy, not the legislature. This resolution would interfere with a patient's right to do what is best for her family. There is no scientific discussion at what point blastocyst is a "person." What chromosomes are needed, and how many, are all issues that are not easily addressed and are based on opinion. If the goal is to save lives, expand Medicaid to help people who are actually walking around. Textbooks don't say when life begins because there is not a bright line. A lot of organizations that are against abortion do not even support this legislation. Missouri's own Eagle Forum has called such legislation a gimmick. The reason most states don't have personhood in their state constitutions is because when proposed they either: fail in the opposite chamber; are kept off of the ballot subsequent to litigation; fail on the ballot; or are passed by voters, challenged in court, and struck down as unconstitutional. The resolution is in direct conflict with the U.S. Constitution and Supreme Court precedent in support of the U.S. Constitution. It would be a huge waste of taxpayer dollars to go through this expensive process for something patently unconstitutional.

Testifying against the bill were ACLU Of Missouri; Susan Gibson; Alison Dreith, Naral Pro-Choice Missouri; and Ed Weisbart, MD.