

FOR IMMEDIATE RELEASE

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***COURT HEARS MOTION TO DISMISS REGARDING TAXPAYER LAWSUIT;
CONSIDERS EXCLUSION OF ROBERT MONSEES DEPOSITION ON OCTOBER
23, 2008***

JEFFERSON CITY – Missouri Taxpayers Fred N. Sauer and the Missouri Roundtable for Life are scheduled to be in the Cole County Circuit courtroom of Judge Richard Callahan this afternoon at 1:30 pm today to continue their lawsuit to protect public funds from being spent in ways that conflict with existing Missouri law, with the will of the Missouri legislature, and with the understanding of voters in Missouri who voted on Amendment 2 in 2006.

Their taxpayers' suit, filed in Cole County Circuit Court, seeks immediately stop public funds from being transferred from the Missouri Treasury to the Life Sciences Trust Fund as a result of the budget bill HB2007 which was signed by the governor on Friday, June 27, 2008. The Defendants in this case have moved for a motion to dismiss which will be taken up by the Court today. The Court will also consider a motion to strike the Affidavit of Robert Monsees, Executive Director of the Missouri Technology Corporation, who gave a deposition on October 23, 2008 that Plaintiffs believe shows a lack of foundation for the affidavit.

“We are still asking the Court to answer two very simple questions” said Fred N. Sauer, a founder of the Missouri Roundtable for Life and a plaintiff in the case. “First, do the prohibitions on the use of public funds for abortion services, human cloning, and prohibited human research that are part of the Life Sciences Trust Fund law still apply after the voters passed Amendment 2 in 2006? And, second, does Amendment 2 limit the appropriation authority of the legislature by requiring that any institution that does certain research never have its state appropriation reduced in subsequent years?”

This first question focuses on the Missouri Life Sciences Trust Fund, the Missouri Life Sciences Research Board, and the related quasi-governmental entity the Missouri Technology Corporation (MTC). The Life Sciences Trust fund includes specific funding prohibitions imposed by law at its formation in 2003; specifically, there are prohibitions against the use of public funds from the Fund for abortion services, human cloning, and prohibited human research. Before the Fund, its Board, and MTC proceed with funding decisions in distributing the public funds appropriated in HB2007, Missouri taxpayers need to know if these prohibitions remain in force or if they have been changed in any way.

The second question at issue in this petition is based on the fact that Amendment 2, passed by voters by a small margin in 2006, appears to have created a perpetual entitlement to public funds for some entities. According to the clear language of Amendment 2 (see Art. III, § 38(d).5 and Art. III, § 38(d).7.) and Amendment 2's public proponents (one of whom, Don Rubin, is currently involved in distributing public funds through his role on the MTC), Amendment 2 protects any entity that receives public funds and does embryonic stem cell research (with private or public money) from ever having their appropriation reduced in any way. That is, any entity that receives any public funds may never receive less if they do embryonic stem cell research. This is clearly stated on Mr. Rubin's website – see *Frequently Asked Questions and Answers* (“Does the Missouri Constitution now require any state or taxpayer funding for stem cell research?”) at <http://www.missouricures.com/site/PageServer?pagename=faq#initiative>. If the elected legislators appropriating authority has been limited in this manner, taxpayers deserve to know BEFORE any public funds are dispersed to the Life Sciences Trust Fund since any subsequent dispersals from the Fund by its Board or MTC will be in dispersals that may never be reduced.

To learn more about the Missouri Roundtable for Life, please visit www.moroundtable.org