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REPRESENTATIVE CYNTHIA DAVIS FILES MISSOURI TAXPAYER PROTECTION AMENDMENT

*Once Passed, H.J.R. 49 Allows Voters to Block Tax Dollars
from Abortionists, Cloners*

St. Louis – December 1, 2009 – Representative Cynthia Davis (R-O’Fallon), the Chairwoman of the Special Standing Committee on Children and Families in the Missouri House, this morning, on the first day legislators can pre-file bills and amendments for the 2010 legislative session, filed a House Joint Resolution, H.J.R. 49, that would prohibit Missouri tax dollars from being spent on abortions not medically necessary to save the life of the mother, abortion services, human cloning, and embryo destructive research. Six other House members joined Representative Davis as co-sponsors of H.J.R. 49.

"This Joint Resolution I filed will allow Missouri taxpayers to make sure their hard-earned tax dollars will not go to pay for abortions not medically necessary to save the life of the mother, abortion services, human cloning or embryo destructive research. We are guardians of the taxpayer’s money and public tax dollars in these tough economic times. I speak for all the Missourians who do not want their tax dollars to go for procedures that are controversial and that a large percentage of Missourians find morally reprehensible," said Representative Cynthia Davis (Republican), adding, "Taxpayers throughout our State and Nation are demanding greater accountability and fiscal integrity from their elected representatives."

Representative Davis, a well-known fiscal conservative has a reputation for being a watchdog for the taxpayers, filed the Resolution to remedy a developing problem of money being funneled to abortion services or other research. A recent court case in Cole County Circuit Court has clarified that certain restrictions passed in 2003 under the authorship of the late Representative Richard Byrd have been struck down. Those restrictions made clear that Life Sciences Research Trust Fund dollars would not be spent on abortion services, human cloning, and other destructive research.

Representative Davis’ filing of H.J.R. 49 follows on the hard-fought efforts of Representative Brian Nieves, and 60 bipartisan co-sponsors, filing H.J.R. 38 in the House and Senator Jim Lembke filing S.J.R. 17 in the Senate during the last legislative session. Both H.J.R. 38 and S.J.R. 17 would have prohibited Missouri tax dollars from being spent on abortion services, human cloning and destructive human research. H.J.R. 49 also follows the overwhelming 114 to 37 vote on Representative Allen Iacet’s placement of restrictions on the use of taxpayer funds for abortions services, human cloning and destructive human research in House Bill No. 7 last session.

If passed by the House and the Senate, H.J.R. 49 would allow the citizens of Missouri to vote on the following amendment:

One new section is adopted by adding one new section to be known as section 38(e) of Article III to read as follows:

Section 38(e). 1. This section shall be known as the "Missouri Taxpayer Protection Initiative."

2. It shall be unlawful to expend, pay, or grant any public funds for abortion not medically necessary to save the life of the mother, for abortion services, for human cloning, or for prohibited human research.

3. As used in this section, the following terms have the following meanings, provided, however, that nothing in this section shall be construed to prevent the state from receiving or using funding under any federal public health acts, regulations, or programs existing as of September 11, 2009:

a. "Abortion" means the intentional destruction of the life of an embryo or fetus in his or her mother's womb or the intentional termination of the pregnancy of a mother with an intention other than to increase the probability of a live birth or to remove a dead or dying unborn child.

b. "Abortion services" means performing, inducing, or assisting with abortions, or encouraging patients to have abortions, referring patients for abortions, not medically necessary to save the life of the mother, or development of drugs, chemicals, or devices intended to be used to induce an abortion.

c. "Child" means a human being recognized as a minor pursuant to the laws of this state, including if in vivo, an unborn child, and if in vitro, a human being at any of the stages of biological development of an unborn child from conception or inception onward.

d. "Human cloning" means the creation of a human being by any means other than by the fertilization of an oocyte of a human female by a sperm of a human male.

e. "Prohibited human research" means research in a research project in which there is the taking or utilization of the organs, tissues, or cellular material of:

i. A deceased child, unless consent is given by the parents in a manner as may be provided by law relating to anatomical gifts, and neither parent caused or contributed to the cause of the death of such child or consented to another person causing or contributing to the causing of the death of such child;

ii. A living child, when the intended or likely result of such taking or utilization is to kill or cause harm to the health, safety, or welfare of such child, or when the purpose is to target such child for possible destruction in the future.

f. "Public funds" means

i. Any moneys received or controlled by the state of Missouri or any official, department, division, agency, or political subdivision thereof, including but not limited to moneys derived from federal, state or local taxes, gifts, or grants

from any source, settlements of any claims or causes of action, public or private, bond proceeds, federal grants or payments, or intergovernmental transfers:

ii. Any moneys received or controlled by an official, department, division, or agency of state government or any political subdivision thereof, or by any person or entity pursuant to appropriation by the general assembly or governing body of any political subdivision of this state.

g. “Unborn child” means the offspring of human beings from the moment of conception until birth and at every stage of its biological development, including the human conceptus, zygote, morula, blastocyst, embryo, and fetus.

4. The provisions of this section are self-executing. All of the provisions of this section are severable. If any provision of this section is found by a court of competent jurisdiction to be unconstitutional or unconstitutionally enacted, the remaining provisions of this section shall be and remain valid.

This amendment would appear on the ballot during the next general election (2010) or a special election if called by Governor Jay Nixon.

“Missouri Roundtable for Life thanks Representative Davis for taking leadership on this issue to protect Missouri taxpayers and for finding six other House members to co-sponsor H.J.R 49,” said Todd Jones MRFL Executive Director. “MRFL encourages the House to take up and pass H.J.R. 49 immediately upon the opening of 2010 legislative session. Missourians need to stop the raid of the Missouri treasury by fringe special interest groups like Planned Parenthood and others who seek taxpayer dollars for abortion services and human cloning. The time to stop that raid is now!”

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

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