



The National Catholic Bioethics Center

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Bioethics and Public Policy Report [Click on Endnotes for More Information]

March 2011

The National Scene: *Senator John Kerry (D-MA)* is calling for a repeal of the federal *Defense of Marriage Act*.¹ • A number of Congressional bills have been the focus for protecting vulnerable human life and conscience rights so far this year, for example, the appropriations bills for fiscal year 2011: the *No Taxpayers Funding for Abortion Act* (H.R. 3), the *Protect Life Act* (H.R. 358), and the *Abortion Non-Discrimination Act (ANDA)*: H.R. 361, S. 165). The National Committee for a Human Life Amendment is attempting to increase co-sponsorship of the ANDA bill in the House (H.R. 361): nchla.org/actiondisplay.asp?ID=287.

The State of Conscience/Religious Liberty: The *New York City Council* has passed a discriminatory provision, requiring government mandated speech by pregnancy counseling centers, announcing whether they provide abortions, emergency contraception and prenatal care.² The American Center for Law and Justice has filed suit to protect the First Amendment rights of the centers.³ Similarly the *State of Washington* is advancing a bill that would require such centers to notify patients upfront that they do not provide *abortions*, abortion referrals and comprehensive birth control.⁴ • The *Utah House of Representatives* passed a conscience provision that if passed into law would protect health care providers from discrimination for refusing to performing abortions.⁵

The State of Marriage: The *Colorado Legislature* is advancing a proposal to legalize same-sex civil unions,⁶ as is the *Delaware Legislature*.⁷ • The *State of Washington House of Representatives* passed a bill which, if it becomes law, will allow recognition of out-of-state same-sex marriages.⁸ • *Indiana* is advancing a legislative proposal to allow a ballot initiative to amend the state constitution to protect marriage as a union between one man and one woman.⁹

State by State: The *Idaho Senate* passed a bill, which if enacted into law, would make assisting a suicide by a physician a felony.¹⁰ The *New Hampshire Legislature* is considering a proposal to legalize *assisted suicide*.¹¹ The *Montana Legislature* rejected a ban on assisted suicide, as well as legislation to regulate it.¹² Thus, assisted suicide is not illegal in Montana and legal in *Oregon* and *the State of Washington*. There is an *Oregon* legislative proposal to require a psychological evaluation, to assure the absence of a psychological disorder or incompetence, before the physician assists in the suicide.¹³ • The *Ohio House of Representatives* passed a bill that, if it becomes law, will provide conditions for judicial bypass of requirements for *parental consent* for a minor's abortion.¹⁴ A parental notification bill has advanced through the *New Hampshire House of Representatives*.¹⁵ • The *Montana House of Representatives* is considering a bill that would require an assessment of coercion

before an abortion.¹⁶ A similar **Nebraska** bill was passed into law and overturned by the courts, after the state's Attorney General joined **Planned Parenthood** in seeking to have implementation blocked. The courts now have ruled that the state must pay Planned Parenthood's legal fees.¹⁷ • A **Georgia Senate committee** tabled a bill which would prohibit **abortions beyond 20 weeks** of gestation.¹⁸ However, a similar bill is advancing in **Missouri**,¹⁹ **Iowa**,²⁰ **Ohio**²¹ and **Idaho**.²² Similarly, the **Oklahoma Legislature** is advancing legislation that would restrict abortions after 20 weeks gestation when there is evidence of perception of pain.²³ A similar bill has been introduced in **Minnesota**²⁴ and **Alabama**,²⁵ and passed by the **Kansas House of Representatives**.²⁶ **Minnesota** also is advancing a bill to ban all human cloning.²⁷ • A bill to ban **partial birth abortion** is advancing in the **Michigan Legislature**.²⁸ • The **Oklahoma House of Representatives** has passed a bill, which if it becomes law will ban the destruction of human **embryos** for research purposes.²⁹ • The **Texas Legislature** is advancing a provision for "**Choose Life**" license plates.³⁰

Recent Good News: The Governor of **South Dakota** signed into law protections for true informed consent of women seeking abortions, including provisions for a waiting period, counseling on alternatives, and evaluation for coercion.³¹ • **Minnesota** state district judge has rejected an effort to overturn the state's Defense of Marriage Act (**DOMA**), saying that she could not ignore "binding precedent" defending the institution of marriage in Minnesota.³² • The **Maryland House of Delegates** failed to pass the same sex marriage bill that had been passed by the Senate.³³

Sharing Your Good News and Your Efforts: If there are public policy advocacy strategies which you wish to share with others please e-mail mhilliard@ncbcenter.org.

Sharing of Resources: The web page of the National Catholic Bioethics Center is a significant resource in the realm of bioethics: www.ncbcenter.org. Also, bioethicists are on call twenty-four hours a day, every day of the week, for consultation by calling 215-877-2660.

¹ http://www.boston.com/news/politics/politicalintelligence/2011/03/kerry_calls_for_4.html.

² http://www.nytimes.com/2011/03/03/nyregion/03pregnancy.html?_r=1.

³ <http://www.aclj.org/TrialNotebook/Read.aspx?ID=1087>.

⁴ http://seattletimes.nwsources.com/html/localnews/20110302319_prenancycenters23.html.

⁵ <http://www.abc4.com/mostpopular/story/Bill-passes-protecting-Utah-doctors-from-abortion/XFCtBNEU8kKR0ilqDxT5JA.csp>.

⁶ <http://www.reuters.com/article/2011/03/25/us-colorado-gays-idUSTRE7200BQ20110325>.

⁷ <http://www.therepublic.com/view/story/81f8a48e311245878cd610d36f2225f3/DE-XGR--Civil-Unions/>.

⁸ <http://www.lgbtqnation.com/2011/03/washington-state-house-approves-bill-to-recognize-out-of-state-gay-unions/>.

⁹ <http://www.courier-journal.com/article/20110316/NEWS02/303160080/-1/sports0803/Indiana-Senate-committee-consider-same-sex-marriage-Wednesday?odyssey=nav|head>.

¹⁰ <http://www.lifenews.com/2011/03/13/idaho-senate-approves-bill-making-assisted-suicide-a-felony/>.

¹¹ <http://www.fosters.com/apps/pbcs.dll/article?AID=/20110228/NEWS0201/110229588>.

¹² <http://www.ama-assn.org/amednews/2011/02/28/prbf0228.htm>.

¹³ <http://www.firstthings.com/blogs/secondhandsmoke/2011/03/21/legislation-to-require-psychological-counseling-in-oregon-assisted-suicide-would-still-not-protect/>.

¹⁴ http://www.dispatchpolitics.com/live/content/local_news/stories/2011/03/16/copy/abortion-consent-bill-clears-house.html?adsec=politics&sid=101.

¹⁵ <http://www.lifenews.com/2011/03/16/new-hampshire-house-passes-parental-notification-abortion-bill/>.

¹⁶ http://billingsgazette.com/news/state-and-regional/montana/article_f3c1a604-3fa1-11e0-8911-001cc4c002e0.html.

¹⁷ <http://www.omaha.com/article/20110304/NEWS97/703049845>.

¹⁸ <http://www.ajc.com/news/georgia-politics-elections/senate-panel-blocks-bill-868711.html>.

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- 22 <http://www.idahostatesman.com/2011/03/16/1567978/idaho-senate-panel-takes-up-20.html>.
- 23 <http://www.lifenews.com/2011/03/08/40-days-for-life-campaign-closing-abortion-centers-starts-wednesday/>.
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- 27 <http://www.frcblog.com/2011/03/minnesota-moves-ahead-with-prohibition-on-human-cloning/>.
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- 31 http://www.nationalpartnership.org/site/News2?abbr=daily2_&page=NewsArticle&id=28072&security=1201&nets_iv_ctrl=-1.
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