



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

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Telephone (608) 266-1304
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DATE: February 23, 1998
TO: REPRESENTATIVE LEON YOUNG
FROM: Richard Sweet, Senior Staff Attorney
SUBJECT: Questions Regarding 1997 Assembly Bill 740 (Abortions Using Public Employees or Public Property)

This memorandum is written in response to two questions that you had regarding 1997 Assembly Bill 740, relating to prohibitions on the use of public employees and public property for activities relating to abortion. That Bill prohibits persons employed by the state, a state agency or a local governmental unit from providing abortion services or engaging in specified abortion-related activities within the scope of their employment. In addition, the Bill prohibits the use of public property to provide abortion services or to engage in those specified abortion-related activities. The Bill defines the terms "abortion," "local governmental unit," "public property" and "state agency."

Your first question was whether the Bill would permit an abortion at a public hospital to save the life of the pregnant woman. As discussed below, the Bill would not permit such an abortion.

Section 20.9273 (3) (a), Stats., as created by the Bill, states that no public property may be used to do any of the following:

1. Provide abortion services.
2. Promote, encourage or counsel in favor of abortion services.
3. Make abortion referrals either directly or through an intermediary in any instance other than when an abortion is directly and medically necessary to save the life of the pregnant woman.

Of the three prohibitions above, only one has an exception that relates to the life of the pregnant woman. That is the prohibition that relates to making abortion referrals. The prohibition on use of public property for providing abortion services does not include an exception for

abortions to save the life of the pregnant woman and public property could therefore not be used for such abortions.

Your second question was whether medical students or residents at the University of Wisconsin (UW) Hospital or Medical School could be taught about abortion. As discussed below, students and residents could not be taught about abortions by performing abortions on state property or by state employes performing abortions within the scope of their employment. However, it is not clear whether the Bill would prohibit classroom teaching about abortion.

The prohibitions on the use of public property for providing abortion services or engaging in specified abortion-related activities that were discussed earlier in this memorandum also apply to public employes. Section 20.9273 (2), Stats., as created by the Bill, states that no person employed by the state, a state agency or a local governmental unit may do any of the following while acting within the scope of his or her employment:

- (a) Provide abortion services.
- (b) Promote, encourage or counsel in favor of abortion services.
- (c) Make abortion referrals either directly or through an intermediary in any instance other than when an abortion is directly and medically necessary to save the life of the pregnant woman.

The definition of "state agency" under the Bill includes the UW Medical School and the UW Hospitals and Clinics Authority. It is clear that medical students and residents would not be permitted to learn about abortion through the performance of abortions at UW Hospitals and could not be taught about abortions through UW physicians performing abortions while acting within the scope of their employment.

What is not clear is whether the Bill would prohibit classroom teaching about abortion by UW employes or on UW property. It is not clear whether such teaching would constitute promoting, encouraging or counseling in favor of abortion services under the Bill. An argument might be made that factual teaching about abortion, without expressing an opinion as to the morality of abortion, does not fall within the type of advocacy prohibited by the Bill. However, a counter argument might be made that even this type of teaching might promote abortion services by instructing medical students and residents, who may later practice independently of a governmental unit, about how abortions are performed. One of the definitions of "promote" in *Webster's Third New International Dictionary* is "to contribute to the growth, enlargement, or prosperity of."

Feel free to contact me if I can be of further assistance.

RNS:kjf:rv;wu



DISTRICT VI

Office of the Chair Wisconsin Section

Michael A. Schellpfeffer, MD
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24 February 1998

**Chairperson
Governmental Operations Committee
Wisconsin State Assembly
State Capitol
Madison, WI**

I am writing this letter on behalf of the Wisconsin Section of the American College of Obstetricians and Gynecologists (ACOG). The ACOG has had on record for some time its stand on abortion which is basically pro-choice. The following comments are in regard to the proposed Assembly Bill 740.

This bill would act to severely compromise the ability of Wisconsin women to obtain abortion services for medically indicated second trimester terminations of pregnancy in this state. This would include abortions done for severe potentially life threatening diseases of the mother as well as abortions done for severe and/or lethal birth defects of the baby. The majority of these particular type of abortion services are only provided through University of Wisconsin based physicians and require the expertise of tertiary care subspecialty OB/GYN physicians. There are no other options in this state. In addition, some of these procedures require inpatient hospitalizations in University of Wisconsin based hospitals to safely accomplish due to the severity of some diseases of the mother. Again, there are no other options in this state. This is not to say that these hospitals or physicians are directly reimbursed for these procedures by the State.

The abortion issue in the United States has been and continues to be one its most divisive issues. This bill, however, crosses the line into legislating what is accepted as well grounded, legitimate, reasonable medical practice.

Sincerely,

Informational Testimony to Government Operations Committee Regarding AB 740

Good morning Mr. Chairman and fellow committee members.

My name is Dr. Scott Spear. As Assistant Professor of Pediatrics and Associate Director for Clinical Services at University Health Services at the University of Wisconsin-Madison, I would like to present testimony for information on Assembly Bill 740.

As state employees, the physicians and nurses at University Health Services who care for the students at our university would be subject to the restrictions outlined in this proposed legislation.

While the physicians, nurse practitioners and nurses at UHS who see pregnant women do not "promote, encourage or counsel in favor of abortion services," we do discuss the available OPTIONS for a pregnant woman who, herself, makes the decision "in favor" of obtaining an abortion or continuing her pregnancy.

Please remember that abortion is a safe and legal medical procedure in our state. I am concerned that there is a lack of clarity of this language in the bill regarding "promoting, encouraging or counseling" about abortion which may affect the doctor-patient relationship in adverse ways for our students by not allowing complete and accurate medical information to be presented.

AB 740 will also have an impact on students whose insurance plans may cover termination of a pregnancy. University Health Services' physicians and nurse practitioners serve in a contractual arrangement as the primary care providers for students in several health insurance plans. In order for insured students to receive coverage of any health benefit in these plans, UHS clinicians, as the primary care providers, must provide the referral. Fulfilling this contractual obligation would appear to place UHS clinicians in violation of the language in AB 740 that prevents state employees from making "abortion referrals either directly or through an intermediary" unless the woman's life is in danger.

A final question that I have as an associate director for our agency is my responsibility to enforce these restrictions and the agency's and the university's liability if individual staff members violate them. The language in the bill does not re-assure me that by creating an agency-wide policy that conforms with the bill's requirements that I have protected the agency from penalty if an individual clinician violates the policy.

It is not clear who is responsible for reporting violations, nor is it evident how physicians and nurses should defend themselves if they believe they have been erroneously accused of participating in proscribed activities. We do not routinely audio or videotape our counseling sessions with our patients, but that may become a necessary intrusion into the doctor-patient relationship if we are to protect staff from false accusations. Such an activity could create barriers with our patients and foster mistrust among our staff.

Please weigh our concerns wisely in your deliberations on this proposed legislation. And I thank you.

25 February 1998

Madison Abortion Clinic
1 So. Park St.
Madison, WI 53715
Feb. 25, 1998

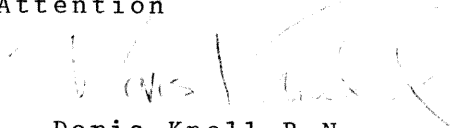
Members of the Committee

I am here to oppose the passage of AB 740. I cannot understand that there is a need for this legislation. We have a large number of medical facilities which already adhere to the principles put forth in your legislation. If your constituents are concerned about these matters they are free to utilize the facilities which already embrace the proposed guidelines of the bill.

It seems high handed to legislate that other publicly supported institutions embrace this policy. If the entire committee is composed of clairvoyants and they are able to predict that there will never be another non-viable fetus conceived, or fetal fatality, or diabetic crisis, or pre-mature placental seperation, or eclampsia, fetal anomalies, cardiac arrest, ruptured aneurysm, anencephaly, or other complications of term pregnancy they should not presume to pass this legislation. If you do not know what these terms even mean you should not be drawing guide lines for the physicians who are dealing with these crisis situations. The decisions that are needed in these cases are best left in the hands of the patients, their families and the treating physician.

Let me assure you that every taxpayer in this state would not agree with a very vocal group who are ever present and effective in organizing voters around a single issue. Most taxpayers would hope that decisions on these matters be allowed to rest with the persons directly involved, they would not applaud efforts to take risks with their neighbors lives.

Thank You for Your Time and
Attention


Doris Knoll R.N.



**THE LEAGUE
OF WOMEN VOTERS OF WISCONSIN, INC.**

122 State Street, Madison, Wisconsin 53703-2500 608-256-0827 FAX 608-256-2853

**Statement to the Assembly Committee on Government Operations in opposition to AB 740
regarding prohibitions on the use of public employees and public property for activities
relating to abortion**

February 25, 1998

The League of Women Voters opposes AB 740 that would place further "prohibitions on the use of public employees and public property for activities relating to abortion." In a message we sent to all Wisconsin legislators on January 20 this year, we described our opposition to a number of bills the purpose of which appears to be directed at making the option of ending a pregnancy by abortion even more difficult than it already is. We included the LRB version of AB 740 in that list.

The essence of our message was to describe the several bills which threaten privacy in reproductive rights as an effort of abortion opponents to undercut the existing U.S. Supreme Court rulings to the point where abortion becomes, first, impossible to obtain, and, next, illegal.

We support a citizen's constitutional right to privacy in reproductive matters. We see no reason for further prohibitions against what is and must remain a legal right in our pluralistic society. We strongly oppose AB 740 and urge you to reject it.

procedures by the staff who most often perform them and at the facilities where they are most often performed.

AB 740 lacks compassion. This bill tells Wisconsin couples who are faced with complicated pregnancies and fatal fetal anomalies that they are not welcome in all of Wisconsin's medical facilities. Not only are they unable to receive the services they need, their physician is barred from telling them where to go to receive these services. If you were diagnosed with a rare form of cancer treated primarily by a handful of specialists in the state, what would you do if your doctor told you these specialists could not treat you? Would you know where to go if these specialists were barred from helping you find assistance elsewhere?

It is clear that there are many important questions about this legislation that need to be answered before the state takes action on it. We believe that this bill is bad public policy. It is heartless to women and families, in that it does not consider women's lives worthy of protection. It is void of compassion for women like Mrs. Santorum who when faced with a failing pregnancy may have to seek less appropriate or less qualified providers for abortion procedures. We urge the committee to consider these issues and get answers to the many questions left unanswered by this legislation before you move forward.

Thank you.

1. Klein, Joe. "The Senator's Dilemma." *The New Yorker*. pp.32-35. 1/5/98.

**Testimony of Amalia Vagts
Planned Parenthood of Wisconsin
In opposition to Assembly Bill 740
Assembly Government Operations Committee
February 25, 1998**

Good morning. Chairman Dobyms and member of the committee, thank you for the opportunity to testify on AB 740, Representative Walker's bill to ban abortion-related activities in public facilities and by public employees.

My name is Amalia Vagts and I am the Legislative Director for Planned Parenthood of Wisconsin. Planned Parenthood of Wisconsin is the state's largest provider of reproductive health care services. We see over 70,000 Wisconsin women, men and teens each year at our 33 clinics located throughout the state. We provide our clients with high-quality, affordable health care services. Our primary services are yearly examinations for cervical cancer; breast cancer screening; contraceptive counseling and dispersement; sexually transmitted infection testing, treatment and counseling; and pregnancy testing and counseling. We also advocate on behalf of women's health care.

Planned Parenthood urges you to reject AB 740. This bill would prohibit abortion in public facilities and by public employees for any reason. A woman who attempts to receive services will be turned away, whether it is to save her life, whether she is a victim of rape or incest or whether she is carrying a pregnancy with severe anomalies incompatible with life that will compromise her health. If an emergency situation arose with a pregnant patient who required an abortion to save her life, physicians would be required by law to let her die on the operating table. If a genetics counselor saw a patient for whom she or he recommended a termination, she or he may be unable to make the most appropriate referral, if that referral were a state employee or facility. Further, AB 740 would prohibit performance of medically-indicated abortions (fetal or maternal complications) by those most trained and prepared to do it.

AB 740 is ambiguous and vague.

The ambiguity of the phrase "promote" opens a Pandora's box of questions. For instance, it is possible that the transport of an incarcerated woman to an abortion clinic could be considered "promoting." Incarcerated women already must pay for abortion services out of their own pocket, yet they rely on prison staff to transport them to and from the clinic. This bill appears to prohibit abortions for incarcerated women.

Teaching abortion procedures to medical students appears to constitute "promotion" of abortion. Therefore, this bill would potentially prohibit the education of a legal and common medical procedure in our state medical schools. In addition, residents would be prohibited

from training in abortion clinics as part of their residency.

AB 740 violates federal medicaid law.

Federal law requires Medicaid coverage of abortions performed in instances of reported rape, incest or when the woman's life is endangered. This bill appears to violate federal law in that it would deny coverage of abortions in these required instances for women who must go to public facilities or for women who must rely on state-employed physicians.

AB 740 is not about taxpayers' money.

You have likely heard today that taxpayers' money should not be used for abortion. This bill has nothing to do with taxpayers' money. Tax dollars do not pay for these procedures. Women and couples pay out of their pockets or through their insurance plans for these procedures.

Most cruelly, AB 740 lacks compassion for families in tragic circumstances.

According to Dr. Frederic Broekhuizen, chairman of the Ob/Gyn department at the University Medical School in Milwaukee, the majority of abortion providers who do terminations for medically-indicated reasons (fetal or maternal complications) are state employees. These physicians would no longer be able to provide abortions, and the women who seek these abortions for reasons of cystic fibrosis, sickle cell anemia, cancer, diabetes, preeclampsia, kidney and renal failure to name a few and for fatal fetal problems would be unable to obtain these procedures from them, even if they were necessary to preserve the woman's health or her life. These cases are very rare. But we feel that if it compromises one woman's life or health, then it is bad policy.

This debate struck home last year for anti-abortion United States Senator Rick Santorum from Pennsylvania. At five months, Sen. Santorum and his wife learned she was carrying a fetus with a birth defect. The Santorums chose to have a fetal operation done to correct the birth defect. Karen Santorum developed a life-threatening infection, due to the procedure. At this point, Karen went into early labor and her baby did not survive. The Santorums had trouble discussing what they would have done if Karen had not gone into labor. One option that Sen. Santorum mentioned was induction. "There are cases where, for the life of the mother, you have to end a pregnancy early," Santorum said. For all practical purposes, this bill would deny that same choice to Wisconsin women. These kinds of severely complicated pregnancies are most often terminated by induction. Inductions in this state are most often performed by university physicians. University physicians are state employees. This bill would deny a choice that Sen. Santorum and his wife may have needed to couples like them in the state of Wisconsin.¹

Supporters of the bill may argue that these woman are not being denied their right to obtain an abortion. However, this bill would prohibit the most skilled and experienced doctors in this field from performing what they have been specially trained to do. The state has already enacted a law (s. 940.15) that mandates post-viability terminations be performed in a hospital, and please note, only in cases where the woman's health or life are at risk. These procedures are not done at private abortion clinics. They may require a hospital stay and are most often done by a handful of experts. This bill would prohibit performance of these

TESTIMONY OF
PATTI CHMIELEWSKI
CHAPTER PRESIDENT
JEFFERSON COUNTY WISCONSIN RIGHT TO LIFE
ON
ASSEMBLY BILL 740

February 25, 1998
before the
Assembly Committee on
Government Operations

Chairman Dobyms and members of the Committee:

I am Patti Chmielewski, Chapter President for Jefferson County Wisconsin Right to Life. I am speaking today in favor of Assembly Bill 740.

I will share the sequence of events during the summer of 1996 which led to Planned Parenthood of Wisconsin obtaining a lease with Jefferson County. As you hear this, please keep in mind that ALL OF THIS could have been avoided if we had a law on the books prohibiting the use of public facilities in counseling in favor of abortion and referring women for abortions. In our case, the public facility is the Jefferson County Health Department Building.

This is my personal experience on how Planned Parenthood of Wisconsin moved into Jefferson County Health facilities. This is how I remember it, and I have drawn much of my information from a collection of local newspaper clippings.

It began in June of 1996 when the Building, Insurance and Veterans Committee approved leasing Health Department space to Planned Parenthood.

This caused an outpouring of letters and telephone calls from concerned citizens of Jefferson County opposing the move which prompted officials to seek the full county board approval.

Despite much public outcry, during the next month's regular County Board Meeting in a 15-14 vote, (with one pro-life supervisor absent), the Jefferson County Board of Supervisors stood by the committee and approved a resolution giving the Building, Insurance and Veterans Committee the authority to negotiate the final lease terms with Planned Parenthood.

The county board room made for crowded quarters as concerned citizens, community taxpayers and several reporters from local television and radio stations and newspapers lined the room.

“I don’t believe we should be renting space to Planned Parenthood or any highly controversial organization,” noted Supervisor Albert Kovnesky. “I urge all members of the county board to vote no on leasing this.”

Supervisor Alfred Foskett added: “I will not be a landlord to anyone who performs or refers women for abortion.”

Permission to negotiate the lease, however, was granted despite protests that the county was “buying itself a lot of headaches,” and the Board turned things back over to the Building and Insurance Committee to finalize the lease.

Controversy and public outcry continued throughout the summer months regarding Planned Parenthood’s lease with the County.

Next Supervisor Iona Turner filed a motion to reconsider the lease with Corporation Counsel Phil Ristow. The motion was placed on the county board meeting agenda to be held in August, approximately one week after the Building, Insurance and Veterans Committee was to meet and approve the final lease with Planned Parenthood.

A statement made by Jefferson County Chapter of Wisconsin Right to Life was presented to each Building and Insurance Committee member prior to their meeting. Citing the possible need for funding of litigation, greater police protection and escalating cost of insurance resulting from the lease, the group requested that signing the lease be postponed until the vote for reconsideration had been given a chance. But the request was ignored.

In early August amid pronounced opposition, the Jefferson County Building, Insurance and Veterans Committee met to approve a lease after heated discussion of the agreement.

Over 20 people crowded the tiny committee room, hoping to influence the committee members. JoAnn Hartwick, a member of Jefferson County WRL asked the committee to include in the lease restrictions on surgical and

chemical abortions and abortion referrals . This would hopefully “silence the din and restore peace to our community.”

While the abortion restrictions were in the lease, the request to deny abortion referrals was not part of the agreement.

One week later, at the August county board meeting the decision was made by the Jefferson County Board to terminate the lease. The resolution passed in a stunning 17 to 13 vote, after two hours of debate. Supervisors Turner and James Hartwig stating they did not understand the original resolution before the board, had changed their vote. Supervisor Borland, absent in July, brought the count to 17- an outstanding victory to remove Planned Parenthood of Wisconsin from the Jefferson County facilities. The victory would prove to be short-lived.

It wasn't long before Planned Parenthood threatened to sue and the County felt that it had no power to keep them out despite a strong desire to do so. The board FINALLY had the County's best interest in mind, but succumbed to the pressure of litigation. The board reinstated the lease and Planned Parenthood moved in.

This story demonstrates why we need this bill passed. All of this could have been avoided if there was a law prohibiting the use of public facilities in counseling in favor of abortion and referring women for abortions.

The lease which was reluctantly passed in August, 1996, expires in June, 1998, and the opposition has high hopes of a lease renewal. To avoid a bigger fight then we had in the summer of 1996, the taxpayers of Jefferson County urge you to pass Assembly Bill 740. This would keep Planned Parenthood's lease from coming back on the County Board Floor for renewal as well as keep them from gaining access to public health care facilities throughout the state. We strongly urge you to pass AB 740.

Thank you.



Wisconsin Right to Life, Inc.

State Affiliate of the National
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Washington, DC 20004-2293

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**TESTIMONY OF
SUSAN ARMACOST
LEGISLATIVE DIRECTOR
WISCONSIN RIGHT TO LIFE, INC.
ON
ASSEMBLY BILL 740
February 25, 1998
before the
Assembly Committee on
Government Operations**

Dedicated successfully since 1968 to advocating for and protecting precious human life.

Please remember the Wisconsin Right to Life Education Fund 501(c)(3) charity and its lifesaving programs in your estate plan. By doing so, you may be able to achieve significant income, gift or estate tax benefits. Please call our development department today for confidential help in successfully implementing the gift plan most suitable for you.

I am Susan Armacost, Legislative Director for Wisconsin Right to Life. I am here to testify in favor of Assembly Bill 740.

Currently in Wisconsin, public funds -- federal, state, and local -- may not be used to pay for the performance of most abortions. This legislative session, two additional provisions were enacted into law that protect public funds from being used for other abortion-related activities. Those abortion-related activities would include providing abortion services, promoting, encouraging, or counseling in favor of abortion, or making abortion referrals either directly or through an intermediary.

The first provision clarifies the definition of "family planning" to insure that family planning programs which counsel in favor of abortion or make referrals for abortion either directly or through an intermediary would not be eligible for funding. And the second provision prohibits any abortion-related activities by publicly funded programs that are intended to aid pregnant women or to prevent pregnancy.

Assembly Bill 740 would continue the process of getting government out of the abortion business. Assembly Bill 740 would prohibit state and local government employees and public facilities (state and local) from engaging in the abortion-related activities of providing abortion services, promoting, encouraging, or counseling in favor of abortion, or making abortion referrals either directly or through an intermediary.

From a purely political vantage point, it is clear that the people of Wisconsin resoundingly oppose the use of their tax dollars to support abortion. In polling done for Wisconsin Right to Life by the prestigious Wirthlin Group, 81% of the respondents were opposed to the use of their tax dollars to support abortion. This number not only reflects the tens of thousands of pro-life people in our state but also many people who may call themselves "pro-choice."

From a constitutional standpoint, Assembly Bill 740 is drafted to be consistent with a line of U.S. Supreme Court decisions that uphold the right of government to divorce itself from the abortion business:

* The U.S. Supreme Court has held in cases such as *Harris v. McRae* (1980), *Maher v. Roe* (1977) and *Poelker v. Doe* (1977) that it is constitutional for government to make a policy choice favoring childbirth over abortion and to implement that policy in its funding decisions.

* The U.S. Supreme Court also held in *Webster v. Reproductive Health Services* (1989) that it is constitutional for government to restrict the use of public employees and facilities for the performance or assistance of nontherapeutic abortions. In the *Webster* decision, the court stated that "[n]othing in the Constitution requires States to enter or remain in the business of performing abortions" or entitles "private physicians and their patients [a] constitutional right of access to public facilities for the performance of abortions."

* Furthermore, in *Rust v. Sullivan* (1991), the U.S. Supreme Court upheld federal Title X regulations that prohibited Title X projects from engaging in counseling concerning, referrals for, and activities advocating abortion as a method of family planning, and that required such projects to maintain an objective integrity and independence from the prohibited activities by the use of separate facilities, personnel, and accounting records.

While political and constitutional issues are extremely important aspects to consider when assessing legislation, it is the moral ramifications that are of primary concern to Wisconsin Right to Life. For the tens of thousands of people in our state, it is abhorrent to them that their tax dollars are used to promote or facilitate abortion, an act that results in the deliberate destruction of unborn human life.

Public facilities that are built and maintained by our tax dollars and the public employees whose salaries are paid with public funds represent many state and local entities throughout the state. They include our public schools, county health clinics, libraries, government buildings, public hospitals and others.

What are some of the issues of concern in regard to these tax supported entities? Some historical background would be useful. On May 4, 1982, the state of Wisconsin and this legislature was horrified when the media widely reported that a baby girl had been born alive after an abortion attempt at University Hospital at 26 weeks gestation. She lived for 27 hours. The shock was even greater when the following day, May 5, another baby girl was born alive at 21 weeks gestation and survived for nine hours. There were six such incidents that year in Madison (at least the ones we know about) and all of them occurred in a public hospital setting -- two at University Hospital and the other four at what was then known as Madison General Hospital.

While the public grappled with the horror of these revelations, they did serve the purpose of confirming that these public hospitals, built and maintained with the dollars of taxpayers, were using those facilities to destroy human life. Madison General Hospital no longer exists and we have been informed that University Hospital does not perform abortions at this time. If that is true, then it is based on whatever policy the hospital adheres to now. Because there is no law preventing it, the hospital's policy could change.

The Wisconsin Right to Life office receives calls from concerned people who tell us about school nurses and teachers arranging for students' abortions and even one school employee who drove a student to the abortion clinic. They ask us what can be done and we must tell them, "nothing."

From a political, a constitutional and a moral perspective, AB 740 is an appropriate and much needed bill. We urge you to support AB 740.

Thank you.

To Chairperson John Dobyms,

3/1/98

A recent public hearing on a bill to ban abortion-related activities in public facilities and by public employees has caused an uproar among politicians and citizens of Madison alike.

I attended the public hearing that occurred on February 25, and I feel there are many things that are severely wrong with this bill.

It is in violation of the first amendment:

This bill could stand in the way of physicians, teachers, and politicians exercising their right to free speech. It would also negatively effect doctor-patient relationships as they would be prohibited from providing safe and accurate information to their patients.

It will potentially prohibit medical students and residents in the state from learning about this legal and common procedure:

Medical students and residents would not be able to learn how to do this procedure anywhere in the state, as both the UW and Medical College of Wisconsin in Milwaukee are funded by public money.

It would endanger the lives of women seeking abortions in emergencies, who are often treated by state employees to save their lives:

In cases of fetal fatality, pre-mature placental separation, fetal anomalies, cardiac arrest and other emergencies, physicians in public hospitals would not be allowed, under law, to respond to such emergencies. This will severely endanger many women's lives.

A coalition of area organizations have formed to respond to this bill that will limit many individual's rights. The basis of the bill is that tax-payers do not want their dollars going to abortion related activities; the reality, however, is that non-medically necessary abortions have been banned in public facilities for over ten years.

This coalition is planning a workshop in Madison to address these issues, as well as to educate citizens on voter's rights, politicians' stances on these and similar issues, and medical information about abortions. The issues and information found here will be widely distributed to all voters. It is important that you analyze these issues carefully.

I urge you to oppose AB 740, which will inhibit the individual freedom of many, infringe on doctor-patient relationships and prohibit medical students from receiving a proper education, and will endanger women's lives.

Sincerely,



Megan Coglewright
4466 Hillcrest Dr.
Madison, WI 53705

608 Eagle Heights Apt. J
Madison, WI 53705
March 3, 1998

Representative John Dobyms, Chair
Government Operations Committee
P.O. Box 8952
Madison, WI 53708

Dear Representative Dobyms:

I am writing with regard to Assembly Bill 740, which would ban abortion-related activities (such as counseling in favor of abortion, promoting abortion, or direct referrals for abortion-related services) in all public facilities and by all public employees in Wisconsin.

As a medical student at the University of Wisconsin, I am strongly opposed to any legislation that would curtail my education, especially regarding women's health. If no one at any public hospital in Wisconsin can perform or even discuss abortion, how am I to learn about the most common surgical procedure undergone by women in the US and the world? And how is the doctor-patient relationship to remain supportive and therapeutic if UW physicians are prohibited from discussing every option for a woman's health care with her?

As a strong supporter of reproductive choice, I am opposed to any legislation that interferes with my First Amendment right to freedom of speech. If, as a student doctor at the UW, I can't counsel my patients regarding every option for their health care because I am forbidden to speak of abortion, I am not only denied my right but I am denying my patients' rights as well--their rights to well-informed, comprehensive health care.

As a woman and a mother, I am opposed to AB 740 because if, by denying her full access to information regarding her reproductive health options, a woman is forced to carry, deliver, and raise an unwanted child, I feel that interferes irrevocably with the family. Strong family groups, in which children are lovingly cared-for and raised, are so important, yet they are undermined by this bill as well as by other anti-choice legislation.

I urge you to direct your energies at legislation that will really work: make education about responsible sexual behavior and birth control mandatory in our schools and make birth control affordable for everyone who seeks it. If people have a problem with abortion, make the whole issue moot by preventing unwanted pregnancies.

Thank you for your consideration.

Sincerely,

Martha Lauster

Martha Lauster

Holly T. Ashley
1766 Fordem Ave. #202
Madison, WI 53704

March 6, 1998

Chairperson John Dobyms
P.O. Box 8952
Madison, WI 53708

Dear Chairperson Dobyms:

This letter is in regards to Assembly Bill 740, which would ban abortion-related activities (such as: counseling in favor of abortion as a reproductive option, direct referrals for abortion-related services, and abortion education at publicly funded medical schools) in all public facilities, on any public property, and by all public employees in Wisconsin.

As a resident of Wisconsin, a woman, a future parent, and a future medical student, I am strongly opposed to this piece of legislation and to all legislation that would prevent or hinder my ability to have access to reproductive health information. Assembly Bill 740 will adversely affect the reproductive rights of all women and the First Amendment rights of all public employees in Wisconsin.

Assembly Bill 740 would prevent public employees (who number in the thousands) from displaying signs, providing information and referrals, and presenting options to their clients that support or promote women's reproductive freedom to choose abortion. As a strong supporter of reproductive choice, I am opposed to legislation that interferes with my First Amendment rights. This potential restriction on citizens' freedom of speech is unacceptable.

As a woman, I urge you to recognize that women have a moral and legal right to make informed and open decisions about their bodies and reproductive rights. AB 740 is the kind of legislation that will chip away at a woman's right to choose abortion and limit her access to abortion information. Many women in Wisconsin utilize publicly funded clinics, hospitals, and services to obtain their medical care, reproductive health information, and counseling. As one of these women, I am opposed to AB 740 because it would prevent my health clinic and health care providers from providing me with thorough and accurate reproductive health information. Assembly Bill 740 would also prevent state supported services from providing referrals to women who are in need of a safe and legal abortion in order to save their lives. This proposed bill will harm the lives of many women and interfere with a health care provider's responsibility to provide the gamut of reproductive health care information and needed abortion referrals.

As a future mother, I am opposed to AB 740 because if, by denying all women their full access to information and referrals regarding her reproductive health options, a woman is forced to carry, deliver, and raise an unwanted child, this will cause further repercussions

and undermine the family structure. I am an advocate of healthy families and in the spirit of Margaret Sanger, the founder of Planned Parenthood, I believe that every child should be a wanted child.

In addition, Assembly Bill 740 would prevent medical schools from providing its medical students and residents with the ability to learn how to perform this safe, legal, and common medical procedure. Medical College of Wisconsin and the University of Wisconsin-Madison both receive funds from the State of Wisconsin. As a future medical school student, I plan to attend one of these schools and will be prevented from learning this procedure if Assembly Bill 740 is passed. If no health care provider or educator in any public hospital in Wisconsin can perform or discuss abortion, how will I learn this procedure? Physicians and medical students will confer that it is impossible to learn about this safe and legal procedure from a textbook or a videotape.

In closing, I urge you to make an informed decision after reviewing Assembly Bill 740. Please direct your energies toward promoting and passing legislation that will promote family planning education and the prevention of unwanted pregnancies. Please support programs and legislation that promote mandatory education and responsible sexual behavior, birth control in the schools, and make birth control affordable for everyone who seeks it. We need to prevent unwanted pregnancies before there is a need for abortions, through an educated and informed public. By limiting women's reproductive freedoms and freedom of speech on the subject of abortion, Assembly Bill 740 will strip people of their rights and is clearly not the approach to solve the problem of unwanted pregnancies.

Thank you for your sincere consideration,


Holly T. Ashley

March 05-05-98
523 So. 25th St
St. Croix, WI. 54601

Chairman John Doherty
P.O. Box 9882
Madison, WI. 53709

Dear Chairman Doherty

I'm writing to you in regard to
Bill AB 740.

Please, please keep the people of
Wisconsin. We do not want our top
talent being spent on abortion itself.
Also it is not our wish to have our
money used for promoting, encouraging
providing services or counseling in
favor of abortion.

She also knew that 81% of respondents
in a recent survey are opposed to having
our money spent in this manner.

In a Register's survey - she've seen
money, money! Spontaneous abortions
which is sad.

Then to deliberately terminate life
for most reasons not wanting the child
is just plain murder.

What ever happened to self-control
and self respect? Do we know what
abortion are the result of permissive men?
Thank you,
Diane J. [unclear]

Dear Rep. Womms,

I'm writing to ask you to oppose AB 740, which would prohibit public employees, institutions, funding, etc. from being used in any way, shape or form having to do with abortion. I find a lot of things wrong with this bill

- 1) could cause public employees to lose their jobs, even if they distribute information that deals with it ex. mailroom employees.
- 2) it's censorship
- 3) irresponsible
- 4) puts doctors in a "damned if you do, damned if you don't" position
- 5) ruins the doctor-patient relationship
- 6) could be an invasion of privacy
- 7) is a big step toward outlawing abortion entirely
- 8) puts women and their babies in danger (of dying)
- 9) denies women necessary medical care, which is a basic human right
- 10) denies the woman the right to make her own decision, which is her right and responsibility
- 11) is it constitutional?
- 12) is mean-spirited
- 13) discriminates against lower income women, who tend to use public facilities more often than higher-income ones
- 14) denies governments and other public agencies the ability to provide basic services (medical) that they're mandated to provide
- 15) no concern for the health and well-being of the women and children
- 16) it's about control
- 17) public employees could get in deep trouble with the law, including prison sentences, even for simply distributing information dealing with abortion and
- 18) could cause government and other public agencies to shut down, due to lack of staff and other resources, which will affect all parts of government and all other public agencies.

Thanks a lot for your time and effort.

Sincerely,
Lori Whitney