



Written by [Raven Clabough](#) on February 11, 2020

## Four Kansas Republicans Vote Against Pro-life Amendment to State's Constitution

The Kansas House failed to pass a constitutional amendment that would have protected taxpayers from being forced to pay for abortions after four Republicans joined Democrats in voting against the measure.

The Value Them Both amendment, which passed in the state's Senate in January, would have added language to the Kansas Constitution stating that there is no right to abortion or taxpayer-funded abortions, Life News reports.

Though the measure won the majority of the House by an 80-43 vote, the amendment could not pass without a two-thirds majority vote, which required 84 of the 125-member chamber to vote in its favor, *The Hill* reports. Unfortunately, four Republicans joined Democrats in voting against the amendment: Representatives Don Hineman (Dighton), Tom Phillips (Manhattan), Bill Pannbacker (Washington), and Jan Kessinger (Overland Park).

The Republicans are defending their opposing votes.

"Throughout my 12-year legislative career, I've maintained a staunch pro-life record," Hineman said. "My 'no vote' today is not in contradiction to that."

Hineman claims he did not feel the timing was right for the amendment, preferring instead to see the amendment on the November ballot.

But pro-life Republicans were hoping to pass the amendment sooner, spurred by an anti-life ruling from the Kansas Supreme Court in 2019, which claimed the right to abortion is enshrined in the state's constitution.

According to the majority justices in that decision, the right to abortion is "firmly embedded" in the state constitution.

"This right allows a woman to make her own decisions regarding her body, health, family formation and family life — decisions that can include whether to continue a pregnancy," they wrote.

"Denying a pregnant woman the ability to determine whether to continue a pregnancy would severely limit her personal autonomy," they continued. "And abortion laws do not merely restrict a particular action; they can impose an obligation on an unwilling woman to carry out a long-term course of conduct that will impact her health and alter her life."

The ruling was in response to a challenge to the state's 2015 ban on dismemberment abortions. Kansas was the first state in the nation to ban dismemberment abortions, Rewire News [notes](#), though nearly a dozen states have since [passed](#) similar measures. Just two, however, have bans in effect currently: Mississippi and West Virginia.





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Supporters of the amendment are concerned the ruling by the Kansas high court could be used to eliminate the state's current abortion regulations, such as a ban on most abortions after 22 weeks, Kansas News Service reports.

As noted by Life News, amendments such as Value Them Both are important "because the abortion industry often turns to the courts to overturn pro-life laws." In states where courts claim the "right" to abortion is enshrined in the state's constitution, taxpayers can be forced to fund abortions and legislatures may be restricted from passing abortion restrictions, says Brittany Jones of the Family Policy Alliance.

"It is not a very big legal leap to say that this case could open the door for an absolute right to assisted suicide, recreational marijuana, gender transition surgeries paid for by the government and a host of other things," Jones [said](#).

In West Virginia, for example, voters were compelled to pass an amendment similar to Value Them Both in 2018 after decades of being forced to fund elective abortions with taxpayer dollars.

Pro-life Republicans in Kansas are not giving up.

"Don't be surprised when it comes up again because it will come up again this session," House Majority Leader Dan Hawkins said after the vote.

And Senate President Susan Wagle has vowed to hold up a bipartisan Medicaid expansion plan unless the Value Them Both amendment is passed.

"If Governor [Laura] Kelly's Medicaid Expansion passes without the Value Them Both Amendment, Kansas will become the 17th state to implement taxpayer funded abortions," Wagle said in a statement. "The Senate will not take up Medicaid Expansion without the passage of the Value Them Both Amendment."

Wagle's ultimatum is supported by Kansans for Life, which announced it would also oppose the expansion until the amendment was approved.

"For years, we have taken great pains to stay out of the Medicaid Expansion fray," KFL's Director of Government Relations Jeanne Gawdun said. "However, recent court rulings could force state taxpayers to subsidize the abortion industry through Medicaid and other sources."

Kansas News Service notes the threat is a significant one, as Medicaid expansion is a top priority for Governor Kelly.

Iowa and Kentucky are also considering pro-life amendments to their state constitutions, Life News reports. In Louisiana, a pro-life amendment will appear on the ballot in November.

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