

Massachusetts Senate to vote today on moving abortion age to 16 years old

By Michael P. Norton

State House News Service

The House approved an abortion access budget rider last week by a barely veto-proof margin and the Senate may vote on the matter Wednesday, potentially giving those following the issue a clearer idea of whether it might survive a possible gubernatorial veto.

An amendment (180) proposed by Sen. Harriette Chandler of Worcester is among the more than 140 amendments to a \$46 billion fiscal 2021 budget that has yet to be considered as senators look to possibly wrap up annual budget deliberations in just two days of mostly behind-the-scenes activity.

The House approved its abortion amendment, which closely mirrors a bill known as the ROE Act, 108-49 on Thursday. The amendment would allow abortions after 24 weeks in the case of lethal fetal anomalies and lower the age from 18 to 16 that a minor can choose to have an abortion without parental or judicial consent.

While Gov. Charlie Baker stopped short of saying whether he would veto it, he joined other Republicans in registering a process complaint: they don't believe the policy measure should be part of a budget.

"I do share some of the unhappiness that was raised by a number of members of the Republican Party, that putting policy in the budget was something that both leaders in the House and Senate said they would not do," Baker said at a press conference Friday. "And it's pretty hard to argue that this

isn't a major policy initiative that is now in the budget."

Baker said "folks on our side" took policy initiatives off the table because of the no-policy message that Democratic leaders had communicated earlier in the budget process.

The governor noted that he has joined Democrats in the Legislature in the past to "strengthen" laws governing access to reproductive services and "have cleaned up a lot of the historical issues that we had here in our existing laws" to bring statutes in line with court rulings. He didn't want to comment on the bill because legislation "tends to morph a lot between the time people start asking me about it and it ultimately lands on my desk," he said.

Pressure to codify or expand abortion access in Massachusetts ramped up after the confirmation of Supreme Court Justice Amy Coney Barrett, a President Donald Trump nominee, with Speaker Robert DeLeo saying in a statement that there is a "threat to reproductive rights for women on a national level."

Advocacy groups like the ACLU of Massachusetts praised the House for "removing medically unnecessary barriers to abortion care," while opponents like the Catholic church took particular issue with lowering the age of consent.

"Abortion at any time, from the moment of conception to birth, is in direct conflict with Catholic teaching and must be opposed," Archbishop of Boston Sean O'Malley, Bishop of Worcester Robert McManus, and Bishop of Fall River Edgar da Cunha said in a statement Tuesday.

In an interview at the State House, House Ways and Means Chairman Aaron Michlewitz said after Thursday night's vote that the issues had been aired at a public hearing and that Judiciary Committee Co-chair Rep. Claire Cronin has been working on the measure and talking to members about it for 18 months.

"This was a much-needed debate and discussion," Michlewitz said. "We felt it was necessary for us to take this step now." He added, "I'm very proud of the vote that we just took. I'm a strong a staunch supporter of pro-choice, and a woman's right to choose and I'm glad that we took this step today, and I'm looking forward to seeing the Senate do the same next week."

Nineteen House Democrats joined Republicans in voting against the House amendment.

"This is a very difficult issue for many members that are on both sides of it and I think that's why it took so long to get to this point to take that vote," Michlewitz said. "There was a lot of meticulous work done on this discussion. For some members, it was a bridge too far to cross and I think that when you're talking about abortion rights, it can become very private, a personal conversation. I have a lot of personal beliefs in it, from family history and other things and I think that a lot of people carry that into that into that type of vote, much more extensively than you get from maybe some other votes."