

Supreme Court strikes down Texas abortion clinic regulations

Justices voted 5-3 in favor of Texas clinics

By MARK SHERMAN
Associated Press

WASHINGTON — The Supreme Court struck down Texas' widely replicated regulation of abortion clinics Monday in the court's biggest abortion case in nearly a quarter century.

The justices voted 5-3 in favor of Texas clinics that had argued the regulations were only a veiled attempt to make it harder for women to get abortions in the nation's second-most populous state.

Justice Stephen Breyer's majority opinion for the court held that the regulations are medically unnecessary and unconstitutionally limit a woman's right to an abortion.

Texas had argued that its 2013 law and subsequent regulations were needed to protect women's health. The rules required doctors who perform abortions to have admitting privileges at nearby hospitals and forced clinics to meet hospital-like standards for outpatient surgery.

Breyer wrote that "the surgical-center requirement, like the admitting privileges requirement, provides few, if any, health benefits for women, poses a substantial obstacle to women seeking abortions and constitutes an 'undue burden' on their constitutional right to do so."

Justices Anthony Kennedy, Ruth Bader Ginsburg, Sonia Sotomayor and Elena Kagan joined Breyer.

Ginsburg wrote a short opinion noting that laws like Texas' "that do little or nothing for health, but rather strew impediments to abortion, cannot survive judicial inspection" under the court's earlier abortion-rights decisions. She pointed specifically to Roe v. Wade in 1973 and Planned Parenthood v. Casey in 1992.

Chief Justice John Roberts and Justices Samuel Alito and Clarence Thomas dissented.

Thomas wrote that the decision "exemplifies the court's troubling tendency 'to bend the rules when any effort to limit abortion, or even to speak in opposition to abortion, is at issue.'" Thomas was quoting an earlier abortion dissent from Justice Antonin Scalia, who died in February. Scalia has not



Bethany Van Kampen, left, hugs Alejandra Pablos as they celebrate during a rally at the Supreme Court in Washington, Monday, after the court struck down Texas' widely replicated regulation of abortion clinics.

AP Photo/Evan Vucci

yet been replaced, so only eight justices voted.

Alito, reading a summary of his dissent in court, said the clinics should have lost on technical, procedural grounds. Alito said the court was adopting a rule of, "If at first you don't succeed, sue, sue again."

Abortion providers said the rules would have cut the num-

Nancy Northup, president of the Center for Reproductive Rights, which represented the clinics, said, "The Supreme Court sent a loud and clear message that politicians cannot use deceptive means to shut down abortion clinics."

Democratic presidential candidate Hillary Clinton called the decision "a victory for women

restrictions in 2013. Texas clinics sued immediately to block it, contending it impermissibly interfered with a woman's constitutional right to an abortion. The clinics won several favorable rulings in a federal district court in Texas. But each time, the New Orleans-based 5th U.S. Circuit Court of Appeals sided with the state, at first allowing challenged provisions to take effect and then upholding the law with only slight exceptions.

The Supreme Court had allowed the admitting-privileges requirement to take effect in most of the state, but put the surgical center provision on hold pending the court's resolution of the case.

The justices split largely along liberal-conservative lines in their emergency orders, with the court's conservative justices voting repeatedly to let the law be enforced.

Separate lawsuits are pending over admitting-privileges laws in Louisiana and Mississippi, the other states covered by the 5th circuit. The laws are on hold in both states, and a panel of federal appellate judges has concluded the Mississippi law probably is unconstitutional because it would force the only abortion clinic in the state to close.

A separate appeal is pending at the Supreme Court from Wisconsin, where federal judges have struck down that state's admitting-privileges law.

The law 'was an effort to improve minimum safety standards and ensure capable care for Texas women.'

Texas Attorney General Ken Paxton

ber of abortion clinics in Texas by three-fourths if they had been allowed to take full effect.

When then-Gov. Rick Perry signed the law in 2013, there were about 40 clinics throughout the state. That number dropped to under 20 and would have been cut in half again if the law had taken full effect, the clinics said.

Texas Attorney General Ken Paxton said the law "was an effort to improve minimum safety standards and ensure capable care for Texas women. It's exceedingly unfortunate that the court has taken the ability to protect women's health out of the hands of Texas citizens and their duly elected representatives."

in Texas and across America."

Texas is among 10 states with similar admitting-privileges requirements, according to the Center for Reproductive Rights. The requirement is in effect in most of Texas, Missouri, North Dakota and Tennessee. It is on hold in Alabama, Kansas, Louisiana, Mississippi, Oklahoma and Wisconsin.

The hospital-like outpatient surgery standards are in place in Michigan, Missouri, Pennsylvania and Virginia, and it is blocked in Tennessee and Texas, according to the center.

Texas passed a broad bill imposing several abortion

Education board puts lead, radon testing rules on the fast track

Requirement could be finalized this August

By PARIS ACHEN
Capital Bureau

The Oregon Board of Education is fast-tracking adoption of a new rule that requires schools to test for lead and radon and report those results to the public.

The rule came on the heels of a scandal in Portland Public Schools over lead in drinking water that went unreported, and a directive by Gov. Kate Brown.

"I think an additional layer of checks and balances when we are talking about student safety so I think this will make parents feel much better," said Board Chairwoman Miranda Summer.

The board heard a first reading of the rule Thursday and plans a public hearing — and potential adoption — in August.

The requirement will entail additional costs to schools and the state Department of Education. The Legislative Fiscal Office is working on an estimate on what those costs will be. Legislative leadership has asked the Emergency Board to allocate money to pay for it.

Brown in April directed the Department of Education and Oregon Health Authority to review existing requirements for environmental testing and address the problem of lead in drinking water.

During the review, health and education officials learned that neither the education department nor the health authority has the power to require schools test for lead, said Emily Nazarov, operations policy analyst with the education department's government and legal affairs section.

The health authority has authority to require testing

of public water systems, but schools are excluded from the agency's jurisdiction.

The proposed rule would require school districts, charter schools and education services districts to conduct lead and radon testing and to submit an environmental monitoring plan to the Department of Education for keeping water, air and physical spaces safe for students and staff.

The health authority already had authority to require schools to test for radon, but the new rule will provide comprehensive guidance to schools on all of the testing required. Schools will be required to report their test results to the education department and to the community annually.

School Board Member Samuel Henry said if the Legislature doesn't approve additional funding for implementing the rule it could be another one of those "famous unfunded mandates."

The agencies asked schools to test for lead during the summer. All of the districts have either completed or are in the process of testing, Nazarov said. The agencies recommend that schools identify sources of lead, stop access, communicate results to staff, students, parents and the community and mitigate and repair the problem.

"Districts are doing a lot of this already," Nazarov said. "Portland (Public Schools) mentioned at one of the meetings one of their learning points is make sure you are documenting this. Repairs are done. People leave organizations, and nobody knows that the repair was done or when it was done, and that information is lost. This is a way to make sure there is a record that the community has access to and that that info is available."

The Capital Bureau is a collaboration between EO Media Group and Pamplin Media Group.

WANTED
Alder and Maple Saw Logs & Standing Timber
Northwest Hardwoods • Longview, WA
Contact: Steve Axtell • 360-430-0885 or John Anderson • 360-269-2500

In honor of July 4th, The Daily Astorian's offices in Astoria and Seaside will be **CLOSED MONDAY, JULY 4**. PAPER DELIVERY WILL PROCEED AS USUAL. **Have a safe holiday!**

Classified Deadlines:
Friday, July 1, 11am for Monday, July 4
Friday, July 1, 1pm for Tuesday, July 5

Display Ad Deadlines:
Tuesday, June 28, 5 pm for Monday, July 4 and Tuesday, July 5

Place classified ads or subscribe 24/7 @ www.dailyastorian.com

1370 AM
KAST
NEWS TALK FOR THE COAST
Providing live and local news coverage every day
You could see it tonight, read about it tomorrow or hear it live NOW!

CONCEAL CARRY PERMIT CLASSES
THURSDAY, JUNE 30TH
1PM AND 6PM
WALK-IN'S WELCOME
BEST WESTERN
555 Hamburg Ave, Astoria, OR
OR/Utah - valid in WA \$80 or Oregon only \$45
MULTI-STATE

*Resident Permit Valid in 35 States, Non-Resident Valid in 30 States: Alabama, Alaska, Arizona, Arkansas, Colorado, Delaware, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, Wisconsin, Wyoming

360.921.2071
FirearmTrainingNW.com • FirearmTrainingNW@gmail.com

Oregon Hunters Association
Clatsop County Chapter

Youth who sign up by July 3rd are entered into a drawing for a .22 rifle!

7th Annual Youth Shoot Family Fun Day

Saturday, July 9th
Clatsop County Fairgrounds
8am-5pm

Shooting all types of guns, plus archery!

Youths 6-17 Years of Age (Accompanied by their adult supervisor)

\$15 per Youth (Mandatory adult supervisors attend free!!!)

BBQ lunch for everyone! Prizes for all youth!

Pre-register by calling 503-359-3535 or 503-440-9934
or Register 8am at the event

OHA

FUN FOR THE FAMILY! **Seaside** OUTLETS

FRI. JULY 1ST - MON. JULY 4TH

****4TH OF JULY WEEKEND****

SIDEWALK SALE AND PETTING ZOO

FREE SPECIAL FROM DAISY MAY'S SANDWICH SHOP WHEN YOU SHOW YOUR RECEIPT OF \$100 PURCHASE FROM ANY OF THE SEASIDE OUTLETS STORES.

OPEN REGULAR HOURS

*LIMIT ONE SPECIAL PER PERSON, PER RECEIPT, WHILE SUPPLIES LAST.

12TH AVE. & HWY. 101
SEASIDE, OR
503.717.1603
SEASIDEOUTLETS.COM