

SJR4 Constitutional Amendment Relating to Abortion

**Office of Senator Shelley Hughes
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**Presentation to the
Senate Health & Social Services
Committee
March 16, 2020**



Original Hippocratic Oath

I swear by Apollo the physician, and Asclepius, and Hygieia and Panacea and all the gods and goddesses as my witnesses, that, according to my ability and judgement, I will keep this Oath and this contract:

To hold him who taught me this art equally dear to me as my parents, to be a partner in life with him, and to fulfill his needs when required; to look upon his offspring as equals to my own siblings, and to teach them this art, if they shall wish to learn it, without fee or contract; and that by the set rules, lectures, and every other mode of instruction, I will impart a knowledge of the art to my own sons, and those of my teachers, and to students bound by this contract and having sworn this Oath to the law of medicine, but to no others.

I will use those dietary regimens which will benefit my patients according to my greatest ability and judgement, and I will do no harm or injustice to them.

I will not give a lethal drug to anyone if I am asked, nor will I advise such a plan; and similarly I will not give a woman a pessary to cause an abortion.

In purity and according to divine law will I carry out my life and my art.

I will not use the knife, even upon those suffering from stones, but I will leave this to those who are trained in this craft.

Into whatever homes I go, I will enter them for the benefit of the sick, avoiding any voluntary act of impropriety or corruption, including the seduction of women or men, whether they are free men or slaves.

Whatever I see or hear in the lives of my patients, whether in connection with my professional practice or not, which ought not to be spoken of outside, I will keep secret, as considering all such things to be private.

So long as I maintain this Oath faithfully and without corruption, may it be granted to me to partake of life fully and the practice of my art, gaining the respect of all men for all time. However, should I transgress this Oath and violate it, may the opposite be my fate.

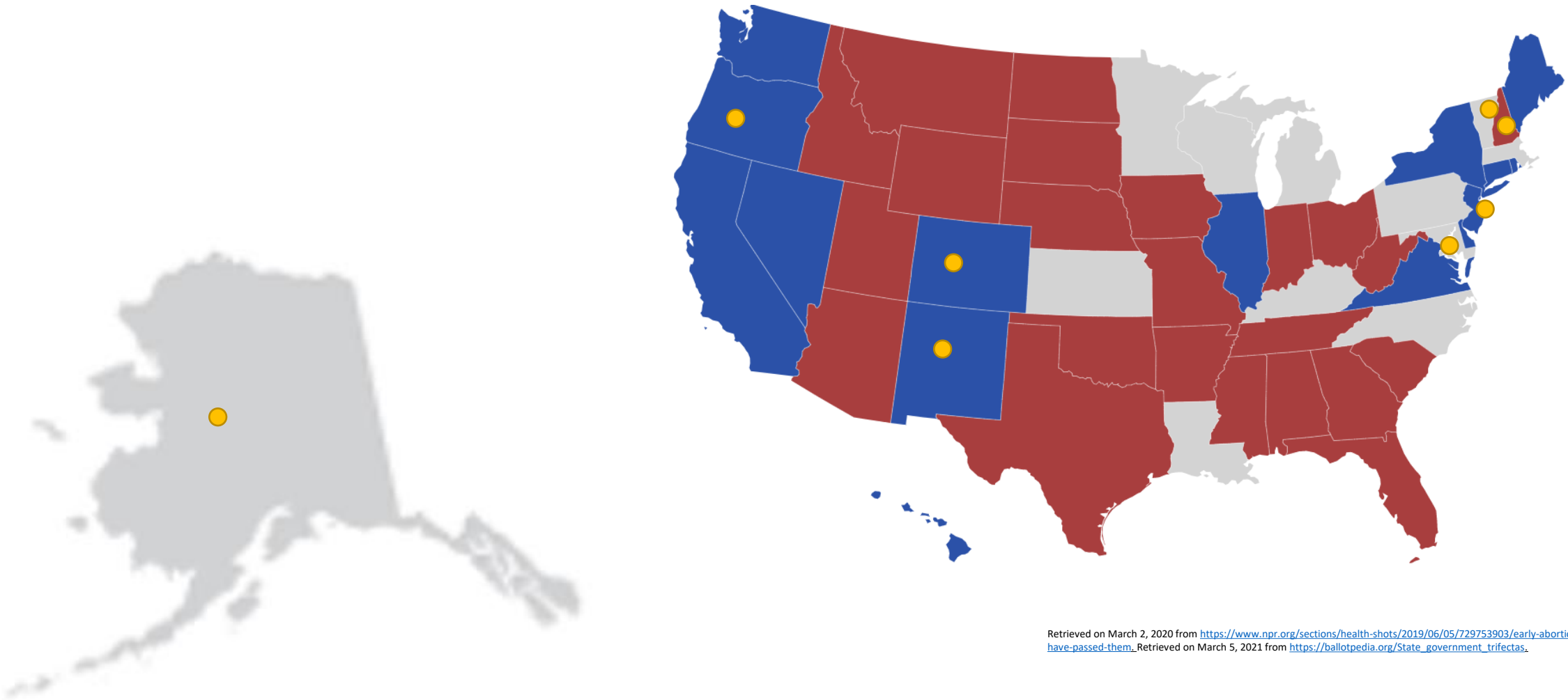


The first ***Declaration of Geneva*** (1948, last amended 2017), came in response to the grotesquely inhumane treatment of individuals in Nazi Germany, kept the pledge to “...maintain the utmost respect for human life from the time of conception.”

Retrieved Mar. 15, 2021 from: Evolution of the Hippocratic Oath and Medical Ethics (thedoctorweighsin.com)

Minimal or no timing
restrictions
for abortions in the state

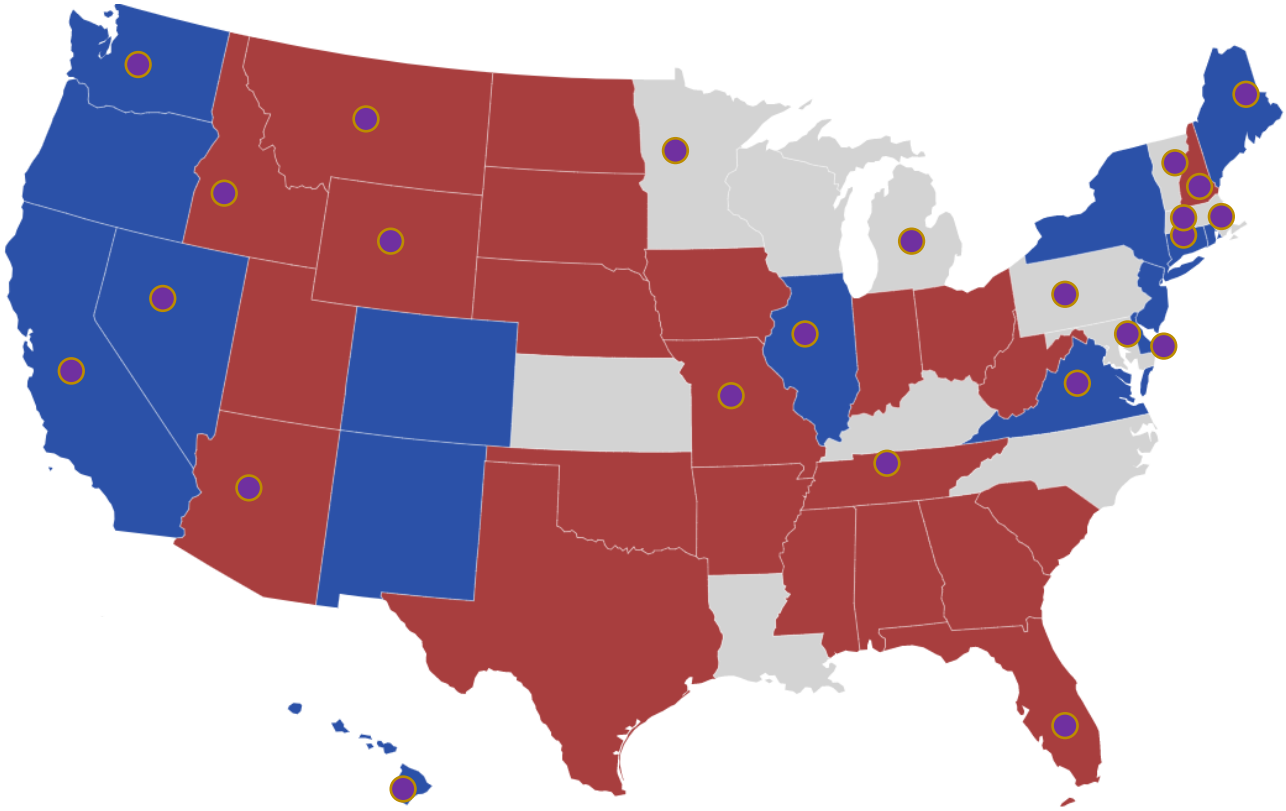
- Democratic trifecta
- Republican trifecta
- Divided government



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No abortions after 24 weeks

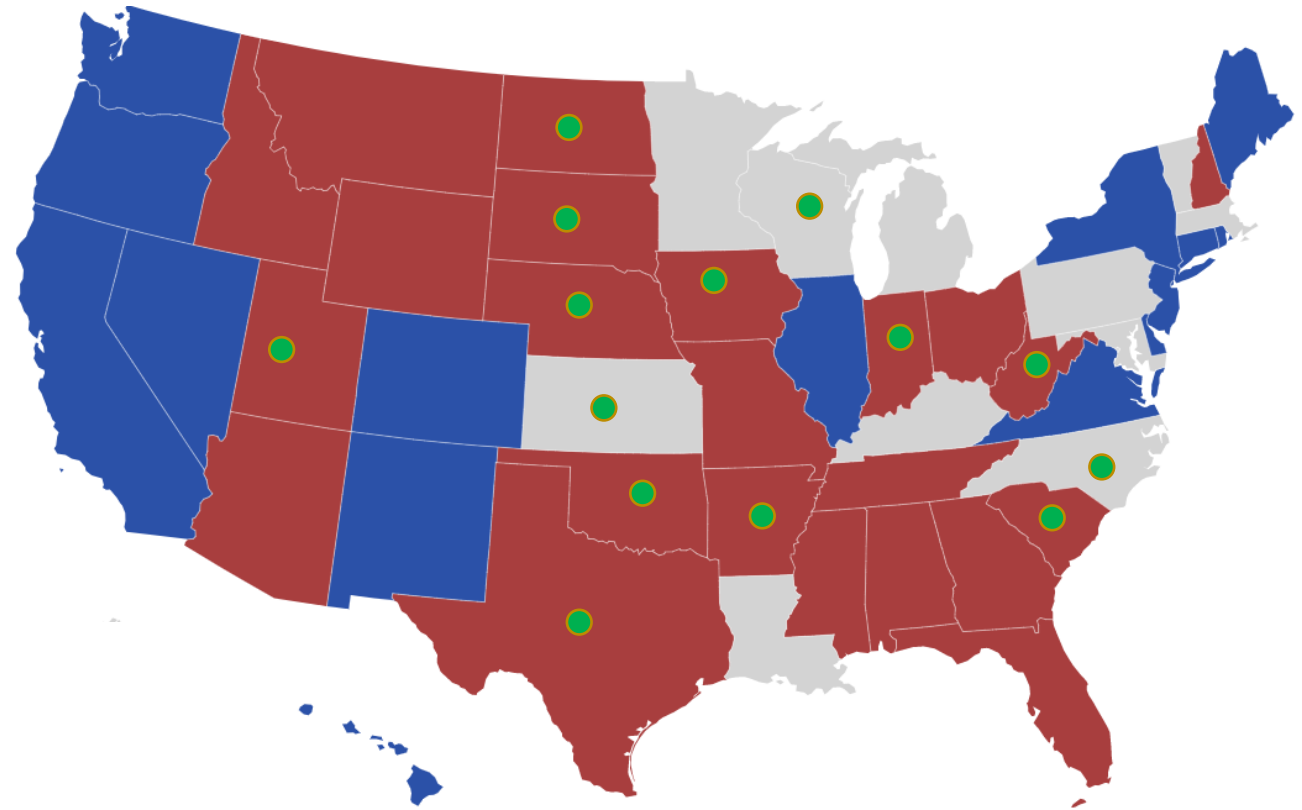
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No abortions after 18-22 weeks

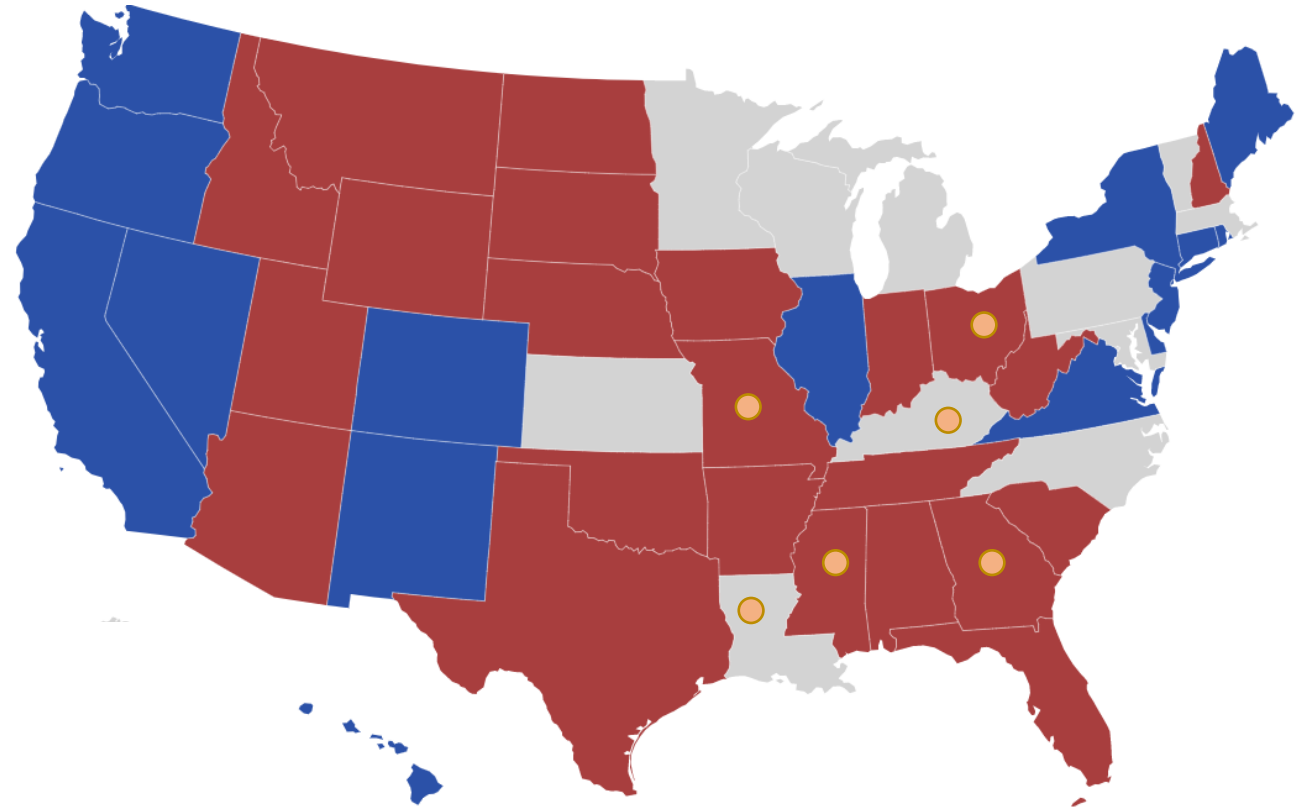
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No abortions after 6-8 weeks

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- Republican trifecta
- Divided government



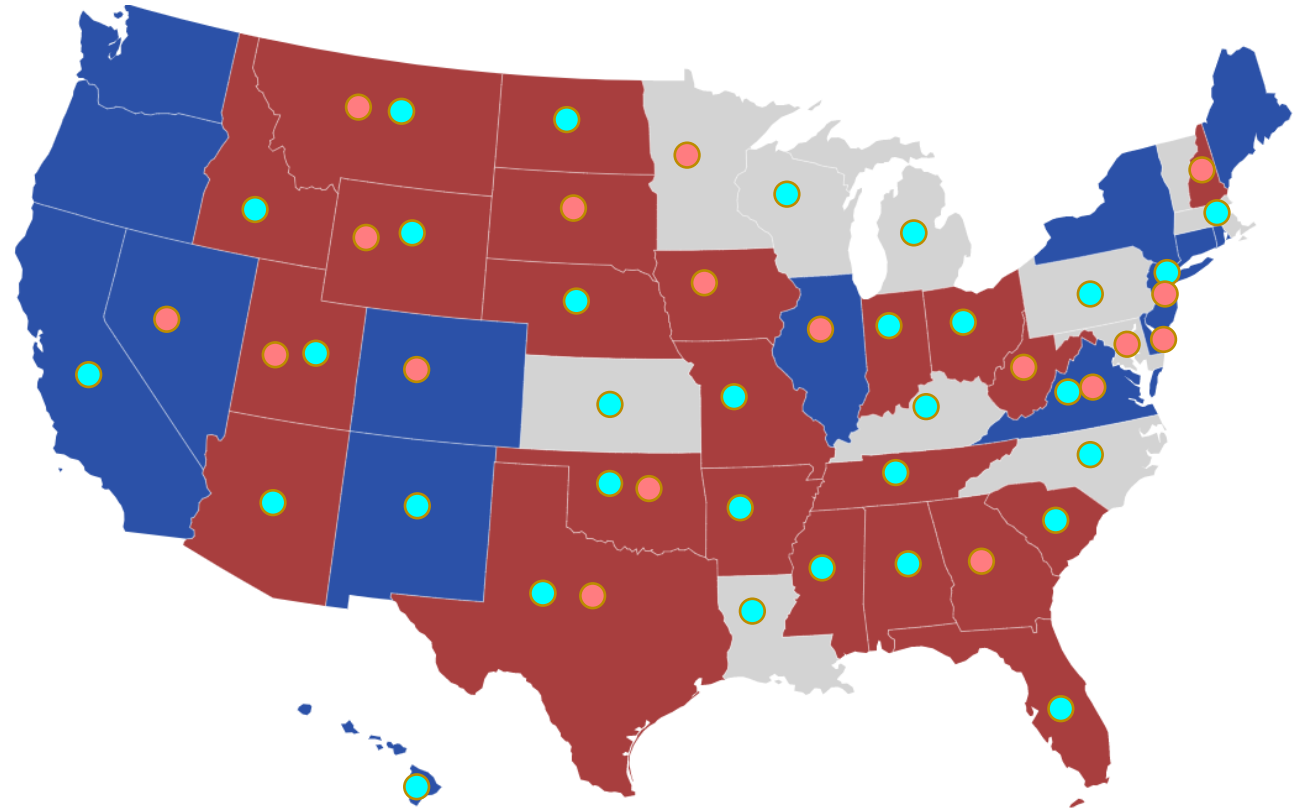
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Parental Involvement

Parental Consent

Parental Notification

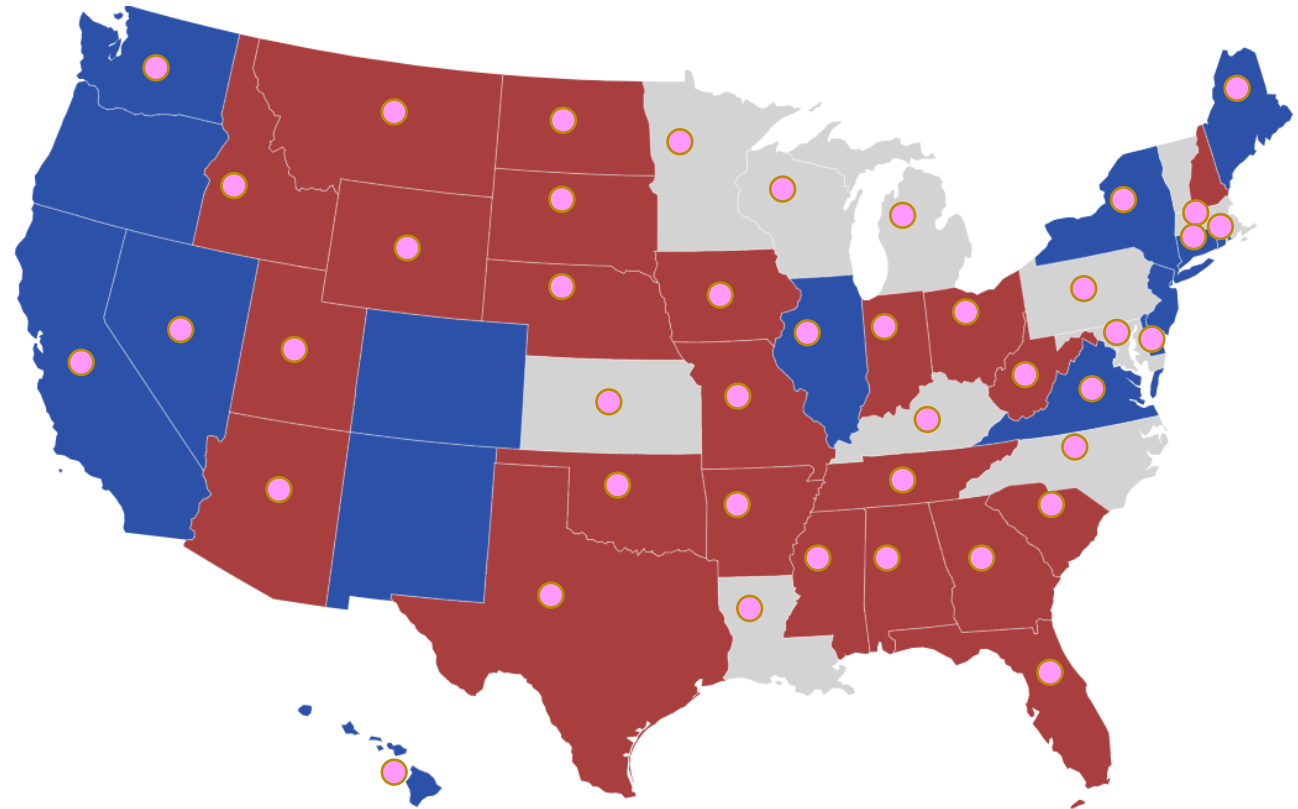
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42 states have taken action with regard to abortion

- Democratic trifecta
- Republican trifecta
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What about Alaska?

- The Alaska Supreme Court has determined that the state constitution provides a broader right to abortion than that interpreted in the U.S. Constitution.
- Passing SJR 4 will allow common-sense abortion policies if we so choose – as permitted under the federal constitution.
- It will allow elected officials -- or the people acting through the initiative process -- to determine the policies on abortion, instead of unelected justices on the Supreme Court.



Abortion-Related Laws Overturned in Alaska

Hospital Participation:

1970 law passed (no mandatory participation)

1997 courts struck down



Abortion-Related Laws Overturned in Alaska

Parental Consent:

1997 law passed

2007 courts struck down: court recommended to change “parental consent” to “parental notification”

Parental Notification:

2010 voter initiative passed

2016 courts struck down



Abortion-Related Laws Overturned in Alaska

Public Funding:

1998 law passed to limit (to rape/incest, life of mother)

2001 courts struck down (but limiting to medically necessary ok)

2014 law passed (to limit medically necessary)

2019 courts struck down



SJR 4 Constitutional Amendment Abortion/Funding

Sectional Analysis

“Proposing an amendment to the Constitution of the State of Alaska relating to abortion.”

Section 1 – Article I, Constitution of the State of Alaska, Page 1, Lines 3-7

Amends the Constitution of the State of Alaska by adding a new section, Section 26. Abortion. The amendment states that in order to protect human life, nothing in this constitution may be construed to secure or protect a right to an abortion or require the State to fund an abortion.

Section 2 – Article I, Constitution of the State of Alaska, Page 1, Lines 8-10

Adds that the amendment proposed by this resolution shall be placed before the voters of the state at the next general election in conformity with art. XIII, Constitution of the State of Alaska, and the election laws of the state.

We thank you!

