

KENAI LEGISLATIVE INFORMATION OFFICE

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WRITTEN TESTIMONY

NAME: Bob Bird
REPRESENTING: Self
BILL # or SUBJECT: SJR 13
COMMITTEE: Senate Heath & Social Services DATE: 3-6-20

NOTE: This testimony is considered part of the official record and will be posted online with the hearing documents

I am Bob Bird, retired public school teacher after 41 years on the secondary level; former president of Alaska Right to Life; organizer and leader of the Alaska Rescue Project in 1989; twice a candidate for the US Senate, endorsed by Ron Paul in 2008.

I am currently a radio talk show host for KSRM in Kenai/Soldotna.

I am known as a constitutional scholar and am sometimes consulted on constitutional issues by people involved in government.

Abortion is a crime against humanity. The legalization of abortion in 1970 by this state will stand as a blight and disgrace in the eyes of History.

However, by introducing a constitutional amendment which states that abortion is not recognized as a right, the state will be playing right into the hands of the leftists who favor legal abortion. Their entire edifice, on both the state and federal level, lies only with their control of the judiciary, assisted by their lap-yapping media and lies.

An amendment would be recognizing several things that are clearly unconstitutional.

1. The courts have no right to grant new rights. That remains for the legislature and the people. The judiciary's preposterous 1996 claim in the *Valley Hospital* case stated that they have "a duty to create new constitutional rights." This is arguably an impeachable offense as it constitutes a usurpation of the constitution.
2. The legislature already has constitutional authority to halt the courts invention of abortion as a fundamental constitutional right, which they invented in Article I, Sec. 22, The Right to Privacy. The

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3. The executive is under no constitutional obligation to enforce court opinions. This is clearly recognized in Federalist #78 on the federal level. Failure to halt federal abortion rulings has served to encourage the judiciary in Alaska and other states to strike down prolife laws. There is no clause in Alaska's constitution that requires the executive branch to enforce their rulings ... and especially when they clearly violate the constitution.
4. The legislature has the authority to define the judiciary's power in Art. IV, Sec. 1. If the courts were to declare Jews, Blacks or Alaska's natives as not worthy of protection of the law, would the executive feel obliged to enforce it, and legislature try to introduce a constitutional amendment to halt such an evil decision? Yet Jews, Blacks and Natives have some ability to flee or defend themselves against a murderous tyranny. But the unborn are helpless. Just who are the aggressors in this matter?

The Republican Party has played off the sentiments of the prolife movement for too long. This proposed amendment, like similar ones that were introduced on the federal level decades ago, is a waste of time and human resources. By rejecting Personhood bills and refusing to exercise constitutional powers that already exist to rein in the judiciary, too many prolife citizens are awakening to the fact that the Republican Party is not serious at all about halting the greatest crime in human history.