

Introduced: 4/23/79
Referred: Health, Education &
Social Services and Judiciary

1 IN THE HOUSE

BY MARTIN

2 HOUSE BILL NO. 474

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the use of public funds, personnel
7 and facilities for abortions."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. FINDINGS AND POLICY. (a) The legislature finds that

10 (1) the state has paid for abortions from public funds;

11 (2) this use of public funds is inconsistent with the policy of

12 the state to provide proper medical care to insure the health of all children
13 whether before or after birth;

14 (3) no other elective surgery is financed by public money;

15 (4) the use of public money for such purpose has substantially
16 increased the number of abortions in Alaska;

17 (5) the use of the people's money to pay for abortions is morally
18 repugnant to a large segment of the population of Alaska.

19 (b) It is the policy of the state to

20 (1) foster and promote by all permissible means the life, health
21 and safety of all children, including unborn children;

22 (2) encourage pregnant women to properly care for the unborn child
23 by carrying the child to full term;

24 (3) prohibit the use of public money, personnel or facilities for
25 a purpose which a substantial part of the people of Alaska consider to be
26 morally repugnant.

27 * Sec. 2. AS 37 is amended by adding a new chapter to read:

28 CHAPTER 40. USE OF PUBLIC FUNDS, PERSONNEL AND

29 FACILITIES FOR ABORTIONS.

1 Sec. 37.40.010. USE OF PUBLIC FUNDS AND FACILITIES PROHIBITED.

2 (a) No state or municipal funds or federal or other funds passing
3 through the state or a municipality may be used directly or indirectly
4 to perform an abortion or to pay a physician, surgeon, hospital, clinic
5 or other facility for or in connection with the performance of an abor-
6 tion.

7 (b) No facility owned or operated by the state or by a municipal-
8 ity and no other facility financed in whole or in part by the state or
9 by a municipality may be used for or in connection with the performance
10 of an abortion.

11 Sec. 37.40.020. PROHIBITION ON THE USE OF PUBLIC PERSONNEL. No
12 person employed by the state or by a municipality and no person, group
13 or organization financed in whole or in part with state or municipal
14 funds may, in the scope of the employment or in connection with the
15 duties financed by the public funds, encourage a person to have an
16 abortion or refer a person to another person for the purpose of having
17 an abortion performed.

18 Sec. 37.40.030. HOME RULE MUNICIPALITIES. The provisions of
19 AS 37.40.010 - 37.40.050 apply to home rule municipalities.

20 Sec. 37.40.040. MISDEMEANOR. A person who violates a provision of
21 AS 37.40.010 - 37.40.050 is guilty of a misdemeanor and, upon convic-
22 tion, is punishable by imprisonment for up to one year, or by a fine of
23 up to \$1,000, or by both.

24 Sec. 37.40.050. DEFINITIONS. For the purposes of AS 37.40.010 -
25 37.40.050,

26 (1) "abortion" means the intentional destruction of the life
27 of an unborn child;

28 (2) "unborn child" means a human being from the time of
29 fertilization of the ovum to birth;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
~~29~~

(3) "state" includes the departments, agencies, public corporations and other instrumentalities of the state.