

Original sponsor(s): HESS Committee

1 IN THE HOUSE BY THE HESS COMMITTEE
2 CS FOR HOUSE JOINT RESOLUTION NO. 95 (HESS)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - SECOND SESSION
5 Supporting federal pro-choice legis-
6 lation and the availability of public
7 money to pay for abortions for victims
8 of rape and incest.
9 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 WHEREAS a woman's freedom to determine her personal destiny and the
11 destiny of her family cannot exist without the basic freedom to make deci-
12 sions about her own body and the use of its reproductive capacity; and
13 WHEREAS government restrictions on the legality and availability of
14 medical procedures to terminate pregnancies deny to women this fundamental
15 right to control their bodies and to make decisions about their families;
16 and
17 WHEREAS the right to make and carry out private decisions about termi-
18 nating pregnancies was affirmed in 1973 by the United States Supreme Court
19 as a right that is inherent in the concept of personal liberty protected
20 under the federal constitution's fourteenth amendment; and
21 WHEREAS Alaskans approved an amendment to the state constitution in
22 1972 that explicitly recognizes that all citizens of the state have a right
23 to privacy, and our courts have consistently held that this state privacy
24 right is even broader than the privacy right recognized under the federal
25 constitution; and
26 WHEREAS Alaskans defeated an initiative in 1982 that would have pro-
27 hibited the use of state money to pay for abortions for poor women; and
28 WHEREAS Alaskans continue to exhibit healthy skepticism of government
29 power by rejecting unwarranted government intrusion into their personal

1 lives on a broad range of issues; and

2 WHEREAS involuntary pregnancy testing coupled with criminalization of
3 abortion in Romania and the government policies that force involuntary
4 abortions in the Republic of China are chilling examples of how govern-
5 mental intrusion into private decisions transforms women's bodies into
6 property of the state; and

7 WHEREAS it is the sense of the legislature that an overwhelming major-
8 ity of Alaskans adamantly believe that a pregnant woman, and not the state,
9 should determine whether she should give birth; and

10 WHEREAS a freedom as basic as control over one's body and a right as
11 fundamental as the right to make private, personal decisions about one's
12 family are issues of national concern that should not depend on which state
13 a person resides in; and

14 WHEREAS there is federal legislation, co-sponsored by United States
15 Senator Ted Stevens, that recognizes that these are issues of national
16 concern by prohibiting state restrictions on the right of a woman to choose
17 to terminate a pregnancy; and

18 WHEREAS this federal legislation, known as the "Freedom of Choice Act
19 of 1989," is numbered S. 1912 in the United States Senate and H.R. 3700 in
20 the United States House of Representatives;

21 BE IT RESOLVED that the Alaska State Legislature strongly supports
22 passage of the Freedom of Choice Act and urges the entire Alaska congres-
23 sional delegation to actively work for enactment of S. 1912 or H.R. 3700,
24 or similar legislation, without weakening amendments that would restrict a
25 woman's right to control her own body and make private decisions about her
26 family's destiny; and be it

27 FURTHER RESOLVED that the Alaska State Legislature calls upon Presi-
28 dent George Bush to change his opposition to the use of public funds for
29 abortions for victims of rape and incest.

1 COPIES of this resolution shall be sent to the Honorable George Bush,
2 President of the United States; to the Honorable Dan Quayle, Vice-President
3 of the United States and President of the U.S. Senate; to the Honorable
4 Robert C. Byrd, President Pro-tempore of the U.S. Senate, for distribution
5 to all U.S. Senators; to the Honorable Thomas S. Foley, Speaker of the U.S.
6 House of Representatives, for distribution to all U.S. Representatives; and
7 to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Sena-
8 tors, and the Honorable Don Young, U.S. Representative, members of the
9 Alaska delegation in Congress.