



Position

Papers

PARTIAL-BIRTH
ABORTION



ISSUE

Despite a federal ban on partial-birth abortion, Alaska state law is not currently consistent with the Congressional ban that was upheld by the U.S. Supreme Court. Having an Alaska law on the books will allow state law enforcement authorities to ensure that this procedure does not occur.

ALASKA FAMILY COUNCIL POSITION

Life is the greatest gift that has been given to each of us. It should be cherished, respected and protected from the moment of conception to its natural conclusion. The law is not the only means of protecting life, but it plays a key and often decisive role in affecting both human behavior and thinking. It is the position of the Alaska Family Council that individuals elected to public office have a duty to make courageous choices in support of life. Public officials are privileged in a special way to apply their moral convictions to the policy arena. Promoting respect for life should be one of the most fundamental areas those in positions of authority should uphold. No human being, regardless of size, age or level of development, race, gender, or place of residence, including those in the womb or those in a nursing home, should be excluded from the moral community of human persons.

The Alaska Family Council applauds the efforts of Rep. Coghill, Rep. Keller, and Rep. Lynn for introducing [HB301](#) as well as the efforts of Senators Green, Olson & Huggins for introducing [SB264](#), the companion bill on the Senate side. Both bills are being vigorously supported by the Alaska Family Council.

IMPORTANT FACTS

In 2003, a broad bi-partisan U.S. Congress passed and President Bush signed into law the Federal Abortion Ban which made partial-birth abortion illegal. In April of 2007, the U.S. Supreme Court upheld the ban which includes an exception for the life of the mother. The Alaska Legislature passed a bill in 1997 banning partial birth abortions (HB 65) but Governor Tony Knowles vetoed the bill. The legislature voted to override his veto. Soon after, a lawsuit was filed challenging the constitutionality of the law. Superior Court Judge John Reese struck down the statute. The ruling was not appealed to the Alaska Supreme Court after federal court rulings made it clear that the statute could not survive even federal constitutional muster. Although the federal ban on partial birth abortions does govern in Alaska, a state law will permit state law enforcement to assist with enforcing the ban. Only federal law enforcement has that authority right now.

PROBLEM

Alaska state law is not currently consistent with the federal ban on partial-birth abortion.

FACTS

A federal ban on partial birth abortion was passed with broad bi-partisan support in Congress and signed into law by President Bush. The American Medical Association described partial birth abortion as "not good medicine" and "not medically indicated."

The U.S. Supreme Court upheld the ban in 2007.

The language of HB301 and SB264 is similar to the federal law and includes an exception for the life of the mother. Performing a partial birth abortion, however, is not a procedure used by physicians to save the life of the mother.

SOLUTION

Encourage legislators to vote YES on [HB301](#) and [SB264](#)

ACTION ITEM
SUPPORT HB301
&
SUPPORT SB264