

ASSEMBLY RESOLUTION No. 90

STATE OF NEW JERSEY

INTRODUCED MAY 6, 1996

By Assemblymen KELLY, FELICE, Kavanaugh, Assemblywoman J. Smith, Assemblymen Malone, Carroll, Gibson, Arnone, Garrett, Bucco, Rooney, Assemblywomen Farragher, Crecco, Assemblyman Rocco, Assemblywoman Heck, Assemblymen DeCroce and Stuhltrager

- 1 AN ASSEMBLY RESOLUTION memorializing the Congress of the United
2 States to override the President's veto of HR 1833.
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- 4 WHEREAS, The President of the United States recently vetoed HR 1833,
5 a bill to prohibit the performance of partial-birth abortions except when
6 necessary to save the life of the mother; and
- 7 WHEREAS, HR 1833 passed both Houses of the Congress by large
8 bipartisan majorities, reflecting the broad consensus on both sides of the
9 aisle and among both pro-choice and right-to-life legislators against partial-
10 birth abortions; and
- 11 WHEREAS, In this procedure, a physician extracts a fetus feet first from the
12 womb and through the birth canal until all but its head is exposed and then
13 thrusts the tips of surgical scissors into the base of the skull, inserts a
14 suction catheter and removes the brain tissue and other contents of the
15 skull, thereby subjecting to a painful death the fetus who, according to
16 respected medical authorities, receives little, if any, pain relief from the
17 anesthesia given to the mother; and there are indications that a significantly
18 larger number of partial-birth abortions are performed each year than
19 official estimates suggest; and
- 20 WHEREAS, The wrongness of this brutal act against a human fetus ~~in~~
21 the womb of the mother is self-evident to all who understand the
22 purpose of government to secure the first inalienable right enunciated in the
23 Declaration of Independence, which is the right to life; and
- 24 WHEREAS, The conscience of the general public is rightly offended ~~by~~
25 this gruesome procedure which involves the killing of a living baby who has
26 been almost completely delivered, an act which is more like infanticide
27 than abortion; and
- 28 WHEREAS, A national poll of registered voters conducted by the Tarrance
29 Group and released on January 22, 1996, found that 71% supported and
30 only 16% opposed a ban on partial-birth abortions with an exception to
31 save the life of the mother; and

1 **WHEREAS**, Notwithstanding the exception to the partial-birth abortion ban
2 provided in HR 1833, which would permit the procedure when necessary to
3 save the life of the mother, medical professionals state that there are
4 absolutely no obstetrical situations encountered in this country which
5 require a partially delivered human fetus to be destroyed in order to
6 preserve the life or health of the mother; and
7 **WHEREAS**, The President's veto of HR 1833 was premised on the lack
8 of an additional exception to its partial-birth abortion ban, beyond the
9 one contained in the bill to preserve the life of the woman, for cases
10 posing "serious adverse health consequences" to the woman; however,
11 in the context of abortion, the term "health" has been interpreted by the
12 United States Supreme Court to include reasons having to do with the
13 pregnant woman's marital status and age, as well as any reason relevant to
14 her social or emotional "well-being," and would thus be so ambiguous that
15 the substantive legal effect of including this exception in the bill would be
16 to remove any real limitation on the use of partial-birth abortions and thereby
17 render the bill meaningless by reducing it to nothing more than a
18 symbolic expression of opposition to the use of this procedure; now,
19 therefore,

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21 **BE IT RESOLVED** by the General Assembly of the State of New Jersey:

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23 1. This House memorializes the Congress of the United States to override
24 the President's veto of HR 1833 and thereby prohibit the performance of
25 partial-birth abortions under any circumstances, except when necessary to
26 save the life of the mother.

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28 2. A duly authenticated copy of this resolution, signed by the Speaker of
29 the General Assembly, and attested by the Clerk of the General Assembly,
30 shall be forwarded to each member of the United States Congress elected
31 from the State of New Jersey.

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STATEMENT

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35 This resolution memorializes the United States Congress to override the
36 President's recent veto of HR 1833, a bill to prohibit the performance of
37 partial-birth abortions except when necessary to save the life of the mother.

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41 Memorializes U.S. Congress to override President's veto of bill outlawing
42 partial-birth abortions.