

Veto No. 1978-8

SB 1254

June 23, 1978

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I return herewith, without my approval, Senate Bill No. 1254, Printer's No. 1543, entitled, "An act amending the act of September 10, 1974 (P.L.639, No.209), entitled, 'Abortion Control Act,' prohibiting subsidizing of abortions."

To prohibit the use of public money to pay for abortions as the Legislature has attempted to do in this bill would be economic discrimination of the worst kind.

The effect of this language would be to say a woman may have an abortion on demand if she is wealthy enough to pay for it but not if she is poor. In effect, the Legislature would say to our citizens who are least able to provide economic support for unwanted children that they do not have the same right extended to more affluent women.

In fact, this language goes so far as to prevent a victim of rape or incest from qualifying for medical assistance for an abortion.

Furthermore, a Federal district court in Illinois found that state's statutory language similar to this to be a violation of Title XIX of the Social Security Act. While that court did not need to reach the constitutional issue, many legal scholars believe that to condition the denial of the necessary medical benefits on the exercise of a woman's constitutionally recognized right — i.e., to choose an abortion — is to deny that woman the equal protection of the law.

For these reasons, the bill is not approved.

MILTON J. SHAPP