TO THE HONORABLE SENATE AND HOUSE OF REPRESENTATIVES:

I am returning herewith, without my approval, House No. 6502 entitled, "AN ACT TO PROTECT UNBORN CHILDREN AND MATERNAL HEALTH WITHIN PRESENT CONSTITUTIONAL LIMITS."

In the cases of Roe v. Wade, 410 U.S. 113 (1973) and Doe v. Bolton, 410 U.S. 179 (1973), the United States Supreme Court struck down the Massachusetts abortion law. In that opinion, the court established specific parameters for determining the state's limited interest in abortion. Immediately following that decision, the Massachusetts Public Health Council promulgated regulations dealing with the issue of abortion. Those regulations met the criteria established by the highest court in the land.

To many who are opposed to abortion, that court decision and state regulations are unsatisfactory. For this reason, these people introduced House No. 6502. Unfortunately, I cannot share their view, for were I to affix my signature to House No. 6502, I would have the state interfere with the individual rights of people throughout the Commonwealth. The state's interest is to ensure that where a decision is made to have an abortion, it is performed in a safe and proper manner—not to regulate that decision.

In addition, even though this intrusion of individual liberties is sufficient to keep me from approving this legislation, I have also been advised that the bill contains a constitutional defect. This defect is found in the section which requires parental consent for minors. This provision violates the U.S. Court decision and thus oversteps the state's interest in this matter. While it is true that this constitutional issue could be dealt with in the courts, that course of action overlooks the resulting unnecessary regulation of human rights.
For these reasons, I cannot in good conscience approve this measure and I am returning it without my approval.

Respectfully submitted,

[Signature]

Governor
Commonwealth of Massachusetts