

North Dakota Lawmakers May Ban Abortion

North Dakota lawmakers on Friday approved a proposed amendment to the state constitution that could make the state the first to define life as beginning at conception, which would effectively outlaw all abortions.

If approved by voters, North Dakota would be the first state in the United States with such a provision in its constitution. Similar measures have been put before voters in several states, including Mississippi, and rejected.

At the same time, the Republican-controlled state House of Representatives also passed more limited measures. The bill would outlaw abortions after 20 weeks of pregnancy and require doctors who perform abortions to have surgical privileges at local hospitals.

North Dakota, which has a single abortion clinic in Fargo, is one of several Republican-controlled states seeking to impose stringent abortion limits and challenge the U.S. Supreme Court's 1973 landmark decision in the case of *Roe v. Wade* legalizing the procedure.

Under that ruling, women have a right to an abortion until the fetus is able to survive on its own outside the womb.

The U.S. constitution's supremacy clause holds that when state and federal laws conflict, federal law wins. But anti-abortion activists have tried to get "personhood" measures defining life as beginning at fertilization onto the ballots of several states in recent election cycles.

The proposed state constitutional amendment would declare that a fertilized human egg is a legal person. Critics of the measure, including Planned Parenthood and many other pro-

choice groups, say it would effectively redefine abortion and some forms of birth control as murder.

The measure, dubbed the “personhood” amendment, would not take effect unless voters approved it in the 2014 general election.

“If we can determine that a seed is the definition of a plant, then we can certainly decide that an embryo is a human,” said Republican representative Dan Ruby, a supporter of the proposed state constitutional amendment.

Sarah Stoesz, the head of Planned Parenthood Minnesota, North Dakota, South Dakota, called Friday’s votes “a shameful day in North Dakota” and predicted they would force the state into “a series of expensive and needless (court) battles.”

Cecile Richards, the president of Planned Parenthood Action Fund, called Friday’s action “a wake-up call for the country.”

The new requirements for abortion providers and the proposed personhood passed by the House Friday had already cleared the Senate. They join two other anti-abortion measures already on Republican Governor Jack Dalrymple’s desk, including one that would ban the procedure in most cases once a fetal heartbeat can be detected – as early as six weeks into pregnancy.

The measure banning abortions after 20 weeks that was passed by the House on Friday was also approved by the Senate. But House lawmakers changed the language of the bill and the Senate will have to approve it again before it can go to the governor.

Dalrymple has not indicated whether he will sign any of the measures into law.

Several states ban most abortions after 20 weeks of pregnancy. Arkansas lawmakers earlier in March approved a ban on most abortions after 12 weeks of pregnancy that could take effect in August if it survives expected legal challenges.

The proposal passed by the North Dakota legislature that would ban abortions in most cases after a fetal heartbeat is detected would be the most restrictive in the nation.

Statehouses across the nation approved a record 92 restrictions on abortion in 2011 and another 43 in 2012, which was the second-highest figure on record, according to the Guttmacher Institute, a research group that supports abortion rights.

The North Dakota House did reject a bill on Friday that would have opened up doctors who perform abortions to possible murder charges. That measure failed 49 to 43.

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