STATE OF ARIZONA

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April 17, 2006

The Honorable Ken Bennett
President
Arizona State Senate
1700 West Washington Street
Senate Office Building
Phoenix, Arizona 85007

Re: Senate Bill 1325: public funds; abortion; prohibition

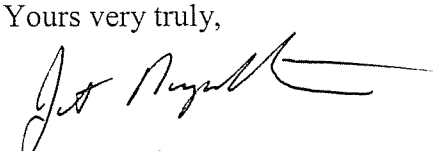
Dear President Bennett:

Today I vetoed Senate Bill 1325, which would have prohibited any state or local government from using public funds to provide health coverage that includes most abortions.

By preempting all political subdivisions in this single area of health care coverage, the legislature unwisely and inappropriately prevents local governments from making their own decisions about the health care coverage they offer and for which most employees pay their own premiums. In addition, this bill's narrow definition of the exception under which abortions could be paid for under a public health care plan is far too restrictive and appears to be in violation of the Arizona Supreme Court's holding in *Simat Corp. v. Arizona Health Care Cost Containment System*, 203 Ariz. 454, 460, 56 P.3d 28, 34 (2002) ("given the right of choice announced in *Roe*, once the state allows abortion funding if necessary to save the mother's life [it cannot justify refusing such funding] to protect the health of a seriously ill woman"). Indeed, by allowing funding for such abortions only if necessary to save a woman's life or avert "substantial and irreversible impairment of a major bodily function," the bill prohibits funding for other medically necessary abortions. As such, Senate Bill 1325 constitutes yet another effort by the politicians in this legislature to impose their own ideology on private and difficult medical decisions.

For these and other reasons, Senate Bill 1325 should not become law.

Yours very truly,



Janet Napolitano
Governor

JN:TN/jm

cc: The Honorable Jim Weiers
The Honorable Karen Johnson