## OFFICE OF THE GOVERNOR
### STATE OF MONTANA

GREG GIANFORTE
GOVERNOR

KRISTEN JURAS
LT. GOVERNOR

May 16, 2023

The Honorable Jason Ellsworth
President of the Senate
State Capitol
Helena, MT 59620

The Honorable Matt Regier
Speaker of the House
State Capitol
Helena, MT 59620

Dear President Ellsworth and Speaker Regier:

The family is the cornerstone of a free society. For this reason, the United States Supreme Court has long understood the United States Constitution to zealously protect the fundamental right to parent. When families are strong, our communities are strong, and there is less need for government.

Conversely, isolating individuals from their families weakens families and communities and diminishes freedom. Undermining families, including isolating children from their parents, is a tool of a totalitarian government to control its citizens and destroy trust in anything other than the totalitarian regime. The systemic and systematic effort to dismantle the family to advance the state was a central tenet of Mao Zedong's Cultural Revolution in 1960s and 1970s Communist China.

Parental rights are at their most critical when difficult decisions affecting the trajectory of the lives of their children are at issue. The decision to take the life of an unborn family member, to the extent deemed lawful by the Montana Supreme Court, should never be placed solely on the shoulders of a minor who is herself a child. This is the fundamental role of parents—to lend experience, love, support, and direction to their children so they arrive at adulthood armed for success with the tools to thrive. Montana law currently protects this role by requiring parental consent for a minor to secure an abortion.

House Bill 968 diminishes this vital role in two ways. First, it lowers the age of a minor from 18 to 16. House Bill 968 allows a 16-year-old adolescent to face the heavy decision of whether to end the life of her unborn baby alone, in isolation from her family, further fostering her perception that an abortion is necessary because no support exists.

Second, House Bill 968 reduces parents' involvement in the decision from that of consent to so-called "consultation." House Bill 968 allows an abortion specialist to be substituted for the parent, to speak with equal, if not greater influence, to a minor for her consent—the only consent required under House Bill 968. And it allows abortion specialists, who have no ongoing obligation to the lifelong welfare or success of their patients—indeed, they likely only came to know and will only know their patients because of her pregnancy—to interject themselves into a family decision and further isolate the minor from her parents.

But a medical professional, no matter how well intending, is no substitute for a parent. And as Montana Supreme Court learned in *Espinoza v. Dept of Revenue*, whatever state constitutional rights may or may not exist, they must and always will yield to individual constitutional rights established under the federal constitution. Parental rights supersede whatever abortion rights exist in this state.

And so, in accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 968: "AN ACT PROVIDING FOR PARENTAL CONSULTATION REGARDING A MINOR'S ABORTION; REVISING DEFINITIONS; REVISING CONSENT REQUIREMENTS; REVISING IDENTIFICATION REQUIREMENTS; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 47-1-104, 50-20-501, 50-20-502, 50-20-503, 50-20-504, 50-20-505, AND 50-20-506, MCA; AND PROVIDING AN EFFECTIVE DATE."

Standing with you and other pro-life legislators, we have advanced the cause of life since 2021, through both administrative action and through legislative victories. We will continue to advance the cause of life, but House Bill 968 runs directly counter to it. I look forward to building on our progress to protect and defend the most vulnerable among us: unborn babies.

Sincerely,

Greg Gianforte
Governor

Enclosure

cc:     Legislative Services Division
        Christi Jacobsen, Secretary of State