

**ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

February 28, 2008

1:19 p.m.

MEMBERS PRESENT

Representative Jay Ramras, Chair
Representative Nancy Dahlstrom, Vice Chair
Representative John Coghill
Representative Bob Lynn
Representative Ralph Samuels
Representative Max Gruenberg
Representative Lindsey Holmes

MEMBERS ABSENT

All members present

OTHER LEGISLATORS PRESENT

Representative Carl Gatto

COMMITTEE CALENDAR

HOUSE BILL NO. 364

"An Act relating to notice and consent for a minor's abortion; relating to penalties for performing an abortion; relating to a judicial bypass procedure for an abortion; relating to coercion of a minor to have an abortion; relating to reporting of abortions performed on minors; amending Rule 24(a), Alaska Rules of Civil Procedure, amending Rule 220, Alaska Rules of Appellate Procedure, and Rule 20, Alaska Probate Rules, relating to judicial bypass for an abortion; and providing for an effective date."

- HEARD AND HELD

HOUSE BILL NO. 237

"An Act authorizing the governor to remove or suspend a member of the Board of Regents of the University of Alaska for good cause; establishing a procedure for the removal or suspension of a regent; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: HB 364

SHORT TITLE: NOTICE & CONSENT FOR MINOR'S ABORTION

SPONSOR(S): REPRESENTATIVE(S) COGHILL

02/13/08	(H)	READ THE FIRST TIME - REFERRALS
02/13/08	(H)	JUD, FIN
02/14/08	(H)	STA AT 8:00 AM CAPITOL 106
02/14/08	(H)	<Above Item Removed from Agenda>
02/28/08	(H)	JUD AT 1:00 PM CAPITOL 120

WITNESS REGISTER

CLOVER SIMON, MSW, Chief Executive Officer (CEO)
Planned Parenthood of Alaska (PPA)
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 364, and responded to questions.

BRITTANY GOODNIGHT, Public Affairs Manager
Planned Parenthood of Alaska (PPA)
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 364, and responded to questions.

MANDY O'NEAL COLE
Douglas, Alaska

POSITION STATEMENT: Provided comments during discussion of HB 364.

DEBBIE JOSLIN, President
Eagle Forum Alaska
Delta Junction, Alaska

POSITION STATEMENT: Testified in support of HB 364.

ROCKY PLOTNICK
Juneau, Alaska

POSITION STATEMENT: Provided comments during discussion of HB 364.

MAKO HAGGERTY
Homer, Alaska

POSITION STATEMENT: Testified in opposition to HB 364.

JIM MINNERY, President
Alaska Family Council
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 364.

JOYCE E. BAMBERGER
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 364.

DAVID BRONSON, Treasurer
Alaska Family Council
Anchorage, Alaska

POSITION STATEMENT: Testified in favor of HB 364.

AMY CHRISTIANSEN, R.N.
Homer, Alaska

POSITION STATEMENT: Testified in opposition to HB 364.

REV ORION
Fairbanks, Alaska

POSITION STATEMENT: Testified in opposition to HB 364.

JOELLE HALL
Chugiak, Alaska

POSITION STATEMENT: Testified in opposition to HB 364.

ANN LINDSLEY
Haines, Alaska

POSITION STATEMENT: Testified in opposition to HB 364.

ACTION NARRATIVE

CHAIR JAY RAMRAS called the House Judiciary Standing Committee meeting to order at [1:19:31 PM](#). Representatives Samuels, Lynn, Holmes, Gruenberg, Dahlstrom, Coghill, and Ramras were present at the call to order. Representative Gatto was also in attendance.

HB 364 - NOTICE & CONSENT FOR MINOR'S ABORTION

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CHAIR RAMRAS announced that the only order of business would be HOUSE BILL NO. 364, "An Act relating to notice and consent for a minor's abortion; relating to penalties for performing an abortion; relating to a judicial bypass procedure for an abortion; relating to coercion of a minor to have an abortion; relating to reporting of abortions performed on minors; amending Rule 24(a), Alaska Rules of Civil Procedure, amending Rule 220, Alaska Rules of Appellate Procedure, and Rule 20, Alaska Probate

Rules, relating to judicial bypass for an abortion; and providing for an effective date."

[Following was a brief discussion regarding how the committee would be proceeding.]

CHAIR RAMRAS noted that there are times when the legislative branch of government disagrees with the judicial branch of government, and expressed his hope that when HB 364 moves from committee it will be narrowly crafted.

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REPRESENTATIVE COGHILL, speaking as the sponsor of HB 364, relayed that the legislature, back in 1996, passed "the parental consent law," which was brought to court in 1997. He offered his understanding that that law said that parents "have a right to be involved in the ... consent of those minor's who find [themselves] pregnant and could get an abortion." He indicated that the [U.S. Supreme Court], in a case occurring around that time, acknowledged that if a minor has "bad-acting parents," one can't simply tell that minor, "Go to your parents." He then mentioned a procedure known as "judicial bypass." He said he disagrees with the Alaska Supreme Court's 2007 decision in State v. Planned Parenthood of Alaska that [the aforementioned law] is unconstitutional [under the Alaska State Constitution's right-of-privacy provision], and agrees with the dissenting opinion. He quoted the following from that dissenting opinion: "In sum, the norm in American, and Alaskan, life and law is that parents are a child's first and most important resource for assistance in decision-making."

REPRESENTATIVE COGHILL offered his belief that the court's ruling in Planned Parenthood of Alaska forbids parents "to have consent given when their minor daughter is found pregnant - ... they are forbidden by the constitution to give consent or be aware and be involved in that discussion." He said he finds that to be so unconscionable that he'd developed a constitutional amendment "to just overturn the whole thing." However, something must still be done to address situations in which a minor child has "bad-acting parents" and in which the minor is almost an adult. He pointed out that "whether it's for marriage, driver's license, tattoos, piercings, we still are requiring consent by the parent" because it has been recognized by [the court] that parents have that right. He said:

Having said that, how to respond to a court that gave some ... reasoning, if you will, that the State didn't show a compelling-enough interest to be involved -- they found that there was not enough state-compelling interest that the parent had some right to choice in this matter, or right to ... consent."

REPRESENTATIVE COGHILL opined that the legislature needs to "rise to the challenge" of the Alaska Supreme Court. He predicted that members will hear debate regarding "how this is unconstitutional," adding that he would say that "the constitution that they're using was stretched beyond what I think is good limits with the decision that came down over this parental consent issue." He went on to say:

However, I was willing to take some of their counsel and begin to talk about when a child can go to a doctor and get the necessary judgment, if you will, that the abortion is necessary, and even to a relative that is responsible, or to a parent or guardian or a state agency, and make that appeal - and if they feel they're still being held back, that they get to appeal to a court. And knowing full well ... that there are many advocates out there, in the "planned parenthood area," or like organizations, I should say, who will take a youngster and take them by the hand and lead them either through the court or to an abortion clinic, ... all without the knowledge of the parent or the consent of the parent.

REPRESENTATIVE COGHILL continued:

And so, to me, if you have a bad-acting parent, there might be avenues and reasons to do that. But when you have a responsible parent, to say they have no right to know is just too egregious for me -- and nor a right to consent. So in this bill we'll talk about notice and consent in several places. ... Also ..., outside of what we had previously in law, we're going to now allow a doctor to, ... by their medical judgment, certify that this youngster, for health reasons, can go ahead and get that abortion. [In] many places in this bill, I'm making concessions to say this could, in the realm of possibility, be; even though I so disagree with abortion, I still think that the choice that they have given to that youngster should be preserved, but there needs to be responsible

people along the way. And when parents are acting responsibly, to forbid them in that discussion or consent is just unconscionable to me.

REPRESENTATIVE COGHILL noted that [in Planned Parenthood of Alaska, the court recognized the State's assertion that] a parental consent law works to advance two interrelated interests: protecting minors from their own immaturity and aiding parents in fulfilling their parental responsibilities. He went on to explain that HB 364 contains a provision prohibiting parents from coercing a pregnant minor to have an abortion. He said he understands the difference between responsible parents and irresponsible parents, and understands that youngsters are progressing in their levels of maturity and responsibility, but thinks it is wrong to allow minors to make their own decision about whether to have an abortion. He offered his belief that Alaska's "existing law fits well within the realm of a judicial bypass and exceptions for students or youngsters - minors."

REPRESENTATIVE COGHILL opined that the Alaska Supreme Court went beyond the U.S. Supreme court and "took the parents totally out of the equation," but that HB 364 provides a way to get parents involved, gives them choices, and makes them accountable for their choices. Noting that he'd just received a memorandum from Legislative Legal and Research Services dated February 27, 2008, he remarked that he sometimes disagrees with legislative counsel.

[Following was a brief discussion regarding how the committee would be proceeding.]

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CLOVER SIMON, MSW, Chief Executive Officer (CEO), Planned Parenthood of Alaska (PPA), after noting that she is a "master's-level social worker" and has worked with "youth at risk" for five years before accepting her current position, relayed that she would be testifying against HB 364. She said she has several concerns about the bill, and surmised that the bottom line is that everyone agrees that parents need to be talking to their teenagers about "these important decisions" - not only about the consequences of an unplanned pregnancy, but, more importantly, also about how to prevent that pregnancy to begin with. She added: I don't know that it's necessarily our job to tell parents how to do that, or force them to do it, or make them do it." She indicated that her testimony would cover

two topics: one, the problems she sees with HB 364 in general; and two, some possible solutions for coming to an agreement about ensuring that parents are involved with their teenagers' decisions, and some of what's been seen at PPA in terms of the reality of parental involvement.

MS. SIMON, with regard to the first topic, characterized HB 364 as one of the harshest parental consent bills in the country; the bill combines two separate burdens - notice, and consent - but is a little unclear with regard to how those two aspects will work together, and so it would be helpful to have some clarification on [that point]. She said she believes that HB 364 is unconstitutional, based on the Alaska Supreme Court's decision in Planned Parenthood of Alaska, but does understand that the sponsor disagrees with that point. House Bill 364 also creates a system of notification with the physician being the sole person responsible for that notification, and yet it's not very feasible to expect that of someone running a medical clinic. "We pay our physicians a lot of money, and it isn't to spend time calling parents repeatedly trying to track them down," she added; therefore, it would be [better to allow either] the physician or someone he/she designates to be responsible for making those notification calls, because it's really important for physicians to be able to provide good, quality medical care and yet the bill's current notification provision will get in the way of physicians being able to do that.

MS. SIMON next noted that HB 364 doesn't have a mechanism in place to guarantee the minor's confidentiality while she is going through the judicial bypass process. Many states have included in their parental consent laws provisions to ensure that the minor's records will be destroyed after a certain period of time, or provisions to protect the minor as she goes through the judicial bypass process. Neither does the bill indicate that a minor will be assigned a guardian ad litem (GAL), or anyone else, to walk her through the [judicial bypass] process, which can be very complicated; furthermore, rural Alaska can present special circumstances in that a pregnant minor living in rural Alaska would have to travel to an urban area to go through the process, and so it is important to include some safeguards for those girls. She said she appreciates that the bill includes a provision allowing a pregnant minor to get an excuse from school; however, that provision doesn't in any way protect the minor's confidentiality from anyone working at the school, including other students who

might be working in the school's office. Therefore that issue should be looked at as well.

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MS. SIMON opined that in general, HB 364 serves to delay the process for a young person who's chosen to have an abortion. Teenagers are less likely to seek medical care in a rapid way, and so this added delay could serve to increase the numbers of second trimester abortions being performed on young people, and that isn't something which anybody wants. Furthermore, because a second trimester abortion is not allowed as an elective procedure in Alaska, more minors will have to be flown out of state to undergo that procedure. Also of concern, she indicated, is the bill's provision requiring documentation from the adult proving his/her relationship with the minor; this provision is onerous and will further delay the minor in getting necessary health care.

MS. SIMON pointed out that most medical providers don't support parental consent; this information comes from the American Academy of Pediatrics (AAP), the American College of Obstetricians and Gynecologists (ACOG), and the American Medical Association (AMA). She offered to provide members with direct quotes from those organizations on this issue. The important point, she went on to say, is that the focus should be on the prevention of unplanned pregnancies rather than on the consequences of those unplanned pregnancies. Strides should also be made to provide young people and their parents with access to necessary information, both so that parents can educate their children and so that teenagers have the tools they need to make really healthy decisions - whether they are choosing to abstain from sexual activity or, when they do become sexually active, to have the means and tools to prevent unplanned pregnancy.

MS. SIMON remarked that the bottom line is that HB 364 will not help parents talk to their teenagers; legislating it isn't going to increase parental communication. And so although she fully agrees that parents are the first and foremost important people to decide on what happens with their children, she remarked, this is not the proper legislation to achieve that goal. In all reality, she pointed out, when PPA does see young women in its clinics seeking abortion services, they are coming in with their parents. She elaborated:

If you average out the data for the last two years, and even since 2004, when Planned Parenthood [of Alaska] began providing abortion services, we average about two young women a year who do not come with a parent. The time that we see the most parents in our clinic is on the day that we're providing abortions, and that's really unfortunate. I would wish that ... the parents would be coming with their teens to get the birth control in the first place.

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MS. SIMON, in response to questions, said that PPA provides abortions in two of the clinics that it operates; one of those clinics is in Anchorage and the other is in Fairbanks. She added that PPA provided services to 2,000 teenagers for pregnancy prevention and family planning at both of those clinics as well.

CHAIR RAMRAS relayed that Ms. Simon had indicated earlier to him that "this" affects two teenagers per year.

MS. SIMON pointed out that those are just numbers from PPA's clinics, that PPA is not the only provider of abortion services in Alaska, and that not every provider keeps such data.

REPRESENTATIVE COGHILL said that regardless that PPA has only [had an average of] two minors per year getting an abortion without parental involvement, "this" affects every parent of a minor child in Alaska.

MS. SIMON concurred, but pointed out that what PPA sees more often in its clinics are parents bringing their teenager in for abortion services, but then once the teenager is taken into a room and counseled by PPA staff, she then changes her mind and decides not to have the abortion, and staff are left facing very angry parents. Nonetheless, when a teenager changes her mind about having an abortion, PPA simply honors her choice to continue with her pregnancy and refers her for prenatal care and other programs - such as the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) - that will help her be healthy. "So it really is important that young people have good and appropriate health care, and I think that's the bottom line here," she added.

MS. SIMON, in response to another question, explained that PPA basically operates as a medical facility in Alaska but also

addresses issues of public policy, so when PPA feels that a law is unconstitutional or will infringe on the rights of teenagers or women in general, PPA will facilitate bringing a case before the courts.

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BRITTANY GOODNIGHT, Public Affairs Manager, Planned Parenthood of Alaska (PPA), added that PPA is a small, nonprofit organization with a staff of five or six who undertake many tasks such as performing administrative duties, and providing legislative testimony, community outreach, and education.

MS. SIMON noted that PPA doesn't employ any lawyers.

REPRESENTATIVE COGHILL asked how much public funding PPA receives.

MS. SIMON explained that PPA doesn't receive any state or federal funding for its Anchorage or Fairbanks clinics, but is a "Title X grantee" for its Sitka and Soldotna sites which offer, specifically, family planning services. The Title X funding is federal funding and ensures that women can get access to birth control and pelvic exams - pap smears - regardless of their income. In response to a question, she clarified that Title X is not Medicaid - it is separate funding - and that PPA does not receive any of its Title X grants directly from the federal government.

MS. GOODNIGHT noted that she was born and raised in Chugiak and graduated from Chugiak High School. She said that as a young person who grew up in a more rural part of Alaska, she would be speaking in opposition to HB 364. She went on to say:

As a child and as a teen, my parents were fabulous communicators. Like most parents, they wanted me to be healthy, make responsible decisions, and stay safe. Early on in my life, they talked to me about sex, healthy relationships, drugs, doing my homework, and helping out with chores. And, like most kids, I thrived in that environment - I got good grades and I prepared to go to college. But even with an open, loving relationship with my parents, there were still some things I was just not going to talk to them about. You see, parents want their teens to be responsible; they ... want to protect their teens' wellbeing and their safety. Like most Alaskans, I

believe in family values; I have a strong sense of family and community that my parents have instilled in me. Parents do have needs and they certainly do have rights, but what we're talking about here today, on balance, is a teen's welfare.

I understand where parents and this committee might feel like this bill could help. This bill has an important, central intent - parent-teen communication - but in reality it will not have the desired effect. We have to realize what teens out there are facing in the real world, and what this bill will actually do. In Alaska, and what we see in our clinics, is that teens are overwhelming involving their parents in their reproductive health, including decisions to terminate a pregnancy. The group that this bill will affect, however, are teens that don't want to involve parents - for very good reasons. We need to be real about this bill and its implications. No law can mandate family communication, and not every child comes from a loving home with healthy relationships.

Some pregnant minors face rape, violence, or incest in their homes. These teens can't go to their parents, and while at first glance this bill might look like it tries to aid these minors, when you investigate further and read between the lines, you see that those girls must prove their abuse and then go through the courts to get the health care that they seek. For girls who are afraid to report molestation by a family member, this bill would create an almost insurmountable obstacle. These girls may even consider more extreme, dangerous measures if forced to notify their parents, such as running away - heading for other states without parental notification laws - or taking matters into their own hands.

MS. GOODNIGHT continued:

The notion that these teens can go to a judge simply causes delays when time is of the essence in a pregnancy, particularly when we're talking about teen health care. Delays of days or a week can force teens to bear children they are not prepared to take care of, or turn an early-stage abortion into a second trimester abortion. No one here should want that. I don't believe anyone here does. That's why the

American Medical Association, the Society for Adolescent Medicine, [the] American Public Health Association, the American College of Obstetricians and Gynecologists, the American Academy of Pediatrics, and other health-professional organizations have opposed parental notification requirements.

I believe that House Bill 364 will have disastrous consequences for the unfortunate few girls it affects each year. In the best of worlds, families would openly discuss everything - from money to homework to sex - and parents and teens would always be truthful and honest with one another. Although we cannot impose this type of trusting, supportive, parent-teen relationship, I think the intent of HB 364 is right and good in that we all want parents and teens to be communicating - that's why we're here today. We all want to help the teens in our community be healthy and be safe and make responsible decisions, ... and we all want to reduce unintended pregnancies in Alaska. ...

MS. GOODNIGHT concluded:

This is where I think we can find some much-needed common ground - all of us in the room - between Planned Parenthood [of Alaska], the [House Judiciary Standing Committee], Representative Coghill, [and] the entire legislature; this is the time where we need to find this much-needed common ground. We need to work on a comprehensive bill that focuses on prevention, using the same good intentions of House Bill 364 but without the negative consequences for Alaska's teens. We need to ensure that our youth are getting comprehensive, medically-accurate sexuality education that includes abstinence, of course, but also methods of contraception and information about sexually-transmitted infections; that our youth have access to unbiased and medically-accurate counseling and, first of all, good medical care that's accessible, affordable, or free; and that our youth have widespread access to affordable birth control, especially in rural areas like my home town of Chugiak.

We need parents to initiate these discussions. We need to encourage them to talk to their kids about sex and sexual health early on. We should be working

together on this kind of prevention legislation. Instead of targeting those few unfortunate teens who have already been pregnant and are pregnant - as House Bill 364 does - we should be focused on helping them make safe and healthy choices early on, before sex is even a thought - before. While we may have missed the cutoff date for new bills this session, this truly could be our opportunity to work together and tackle these challenges for the 2008-2009 legislature. I look forward to working with all of you, thank you so much.

MS. GOODNIGHT, in response to a question, remarked that abortion is an aspect of reproductive health care.

REPRESENTATIVE DAHLSTROM sought clarification that medical providers don't support parental consent [legislation].

MS. SIMON confirmed that point, and agreed to provide documentation.

REPRESENTATIVE DAHLSTROM asked how often the boy/man who gets the teenager pregnant, and/or his parents, becomes involved in the pregnant teenager's situation.

MS. SIMON said that PPA sees a lot of different family structures among the teenagers that access PPA services. She elaborated:

We see everything from teens being brought in by their parents to teens being brought in by the grandparents, teens sometimes being brought in by a caseworker, teens being brought in with their parents and the boyfriend's parents and the boyfriend's grandparents. ... We really see a tremendous amount of family involvement around this issue. We also see teens, when they do choose to continue with the pregnancy and were initially there for the abortion, tell us openly that they're going to move out of their home and into someone else's home who has welcomed them. And so ... all of those things go into a teen making her final decision

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MS. SIMON, in response to questions, explained that PPA serves anyone that comes into its clinics, and attempts to provide age-

appropriate care; that most of PPA's clients are between the ages of 18 and 34; that of those that come into PPA's Anchorage clinic, only 2-4 percent are under the age of 18; and that in terms of brain chemistry and how young people make decisions and their critical-thinking skills at different ages, a tremendous amount of research has been conducted over the last few years, and so the committee may wish to seek such information from someone specifically versed in that topic. On the topics of sex education and behavior change/education and risk reduction, she pointed out that when young people are provided with information, it empowers them to keep their bodies safer and to protect themselves. She added:

So when we talk to teens about both abstinence and birth control, we're not encouraging them to go out and have sex 'just make sure you take your pill'; we're really giving them the opportunity to protect themselves through their whole lifespan. And when given that opportunity, the studies are very clear and do show that teens do make good choices when they're given all the information.

MS. SIMON, in response to further questions, explained that the youngest teenager PPA provided services to last year was 14, and - with regard to teenagers who would be affected by HB 364 - PPA served 2,000 teenagers between the ages of 14 and 16 in Anchorage and Fairbanks.

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MS. GOODNIGHT pointed out that even now, without either a parental consent or parental notification law in place, parents, overwhelmingly, are involved when their teenager comes into a PPA clinic to have an abortion. Generally speaking, when teenagers don't bring a parent in with them, it is often because doing so would endanger their health and safety, either because they are victims of some form of abuse or are threatened with abuse and so cannot notify or obtain their parents' consent.

MS. SIMON, in response to a question, relayed that she would provide the committee with information regarding the age of PPA's youngest client, but noted that she has seen some very young girls being brought in by their parents to start the vaccine series against genital human papillomavirus (HPV), and reiterated that the youngest girl to come in this year for family planning services was age 14. In response to a further question, she explained that teenagers [who come into PPA for

services] know when they are pregnant - they know that they've missed a period and that there's something going on. They come to PPA either after already having done a home pregnancy test, or to request a pregnancy test in order to confirm that they are pregnant. Teenagers are very savvy, she added; they get a lot of information off the Internet, which would not be her first choice as a source for information, and are pretty informed for the most part.

MS. SIMON went on to say:

And we do spend a lot of time educating young women about how to prevent future pregnancies and what they need to do to protect their sexual health in general as part of their visit. And a main part of our visit [consists of] ... just talking to them about parental involvement. Obviously, if we see a teen coming into our clinic who is requesting an abortion, we really encourage them and ... spend extra time with them ensuring that they do have someone coming in with them, and hopefully it is one of their parents.

REPRESENTATIVE DAHLSTROM asked whether abstinence is discussed as a method of pregnancy prevention.

MS. SIMON said, "Definitely."

MS. GOODNIGHT added that that's the first thing that's always discussed, including the information that if it's practiced properly - assuming that everyone knows that true abstinence really means no contact, no touching - and is used 100 percent of the time, it's failsafe.

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REPRESENTATIVE LYNN questioned what type of information PPA provides someone seeking an abortion.

MS. SIMON said that PPA provides all women who come in seeking an abortion with explicit details about the abortion procedure and the risks - both before and afterwards - about all their other options such as adoption and/or continuing with the pregnancy, and with counseling services - either before or after the termination appointment. Some women come into a PPA clinic but they haven't made up their minds, and so PPA staff spend a significant amount of time helping them explore the realities of their lives. She added, "Obviously I would never presume to be

able to make those decisions for women, so it's really important that we give them very unbiased information so they can make those choices for themselves."

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MS. GOODNIGHT, in response to questions, said that one of her chief concerns regarding the judicial bypass procedure "as it stands" is that there is no explicit mention of confidentiality. In researching this issue, she relayed, she found that the 13 other states that have parental notification laws explicitly state the measures that must be taken to ensure that the teenager's confidentiality is protected: in many states, an alias must be used in the file; the majority of states require that the proceedings be closed and confidential; one state requires that the files be destroyed after a year to ensure that the teenagers' confidentiality be protected.

MS. GOODNIGHT said she is also concerned about the wording of the provision in the bill that says a minor [may request the court to provide her with] permission to leave school to seek [judicial bypass for] an abortion, because there are students working in the school's offices and so the issue will become one of who gets to know that the minor has permission to be absent and for what reason. Even without stating specifically why the minor is being excused, everyone will know that she is being excused for "that reason." She urged the committee, therefore, to be very careful about the phrasing of that provision. Another concern she has is about the wording of the [provision that says a judicial bypass procedure is available to a minor who is being abused], because the minor must prove to the court that she is being abused. For example, if a girl is sexually molested by her father and becomes pregnant and then seeks an abortion, would she be able to speak about that molestation and admit to being molested to a police officer and the courts? And if she is unable to do so, she wouldn't be able to get the medical care that she desires. Furthermore, the bill is unclear with regard to who would assist the minor as she attempts to go through the judicial bypass procedure.

MS. GOODNIGHT also pointed out that for a teenager seeking medical care, any delay creates many more hurdles, and if a teenager has decided to have an abortion, but has then been delayed by at least another week, she may simply reject the proposed system and take matters into her own hands.

REPRESENTATIVE LYNN asked how PPA, when counseling a minor, refers to what will be aborted.

MS. SIMON said that PPA uses the medical terminology of "fetus." She added that all PPA's clients are referred to the "informed-consent" web site as mandated by statute, and this web site goes into much more detail with regard to what a fetus is.

REPRESENTATIVE GRUENBERG said he is concerned about the right to counsel, and noted that AS 18.16.030(d) provides that if the complainant has not retained an attorney, the court shall appoint an attorney to represent the complainant, and that AS 18.16.030(n) says that the forms provided to the minor seeking judicial bypass must state that an attorney will be appointed to represent the minor if she does not retain an attorney. He asked whether petitioners for a judicial bypass are made aware, aside from information provided in some handout, that if they don't have an attorney and can't afford one, one will be provided without cost.

MS. SIMON said that PPA has never dealt with the judicial bypass procedure in practice, and so she is not sure how that would be handled.

REPRESENTATIVE COGHILL offered his understanding that right now, "the responsibility falls between whoever's counseling at [PPA] ... and that individual, bar anybody else."

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MANDY O'NEAL COLE noted that she would be speaking as a parent and that she is pro-choice. She said:

When I investigated this bill, I have to admit that it took me quite a bit of thinking in order to come up with a position. This is not, as you say, just an abortion matter; it's also a parent matter, and so I started thinking about, primarily, what I want for my children and what kind of relationship I want with my children. And my sincerest hope is that we have the kind of relationship where we talk about things like this - I have a stepdaughter and a son. In fact, I have to think, in order to stay sane as a parent, [that] they would come to me for those things. ... It could drive you crazy if you imagine all of the horrible things that could happen to your child without [you] ever knowing it, and so I think for many

of us we need to really believe that we have that kind of relationship with our children. ... And the idea that they wouldn't share ... that with me, I think would be pretty devastating. So really, bottom line is, I believe that my kids would come to me if there was that kind of trouble - law or no law.

MS. O'NEAL COLE went on to say:

I also started thinking about the kind of difficulties ... and the kind of adult responsibilities teenagers take on every single day just living in this world. And I had to balance my hopes for what would happen, with my knowledge of reality of what does happen. And I know that there are teenagers who are afraid to talk to their parents - ... be that out of feelings of shame, be that out of fear of physical ... assault, be that out of fear of being thrown out onto the street - there are kids who can't talk to their parents, and these are the very children that we're asking to go through this judicial bypass system. And ... I hope many of you haven't had to go to court for something - for anything, really. I mean, going to court is sometimes a very difficult process whether you're a criminal or whether you're just seeking some kind of civil ... [recourse]; I have helped people get a protective order before, and these are adult women who are smart and capable and still very intimidated by the system. No matter how transparent we want it to be, the idea that a child is going to be able to take that on voluntarily and admit to the court what they couldn't admit or talk to their parents about, is probably not very likely.

MS. O'NEAL COLE concluded:

So the bottom line is, I want all teenagers to be safe - not just my own kids - I want all kids to be loved by their parents, I want all kids to have a relationship where they can talk to their parents, I want laws that help children make good choices, but I want, ultimately, [their] relationships with their parents to be genuine, authentic, and not forced. And so if we consider that the majority of teens do involve a parent in their decision, then the law doesn't seem that necessary, and the ones who don't, don't do so for a good reason. And if we are going to

force this to happen, if we're going to make it happen and possibly endanger one more child with this law, I don't think it's necessary. I think we should let girls who've had to conceal that situation from their parents out of fear make a decision that's safest for them. And it involves ... some faith, some faith in your kids, some faith in other people's kids, but I think as parents we do absolutely everything we can to be responsible, but we can't make it happen just because we want it. So let's let kids make decisions that keep themselves safest, and if we can do that, then we don't need a law like House Bill 364.

[2:28:32 PM](#)

REPRESENTATIVE LYNN asked who should be responsible for paying for any medical care if a pregnant girl, as a result of having an abortion, ends up with a serious medical condition.

MS. O'NEAL COLE offered her understanding that parents are always financially responsible for the medical conditions of their children, regardless of whether consent is given. A parent can't simply say, "I didn't say you could do this, so I'm not going to pay for it." For example, she didn't give her son permission to break his arm, but she still had to pay to get it fixed. She added:

There are things we have to pay for in order to keep our children safe and ... functional, and if that means taking care of a medical issue, paying for a medical issue after an abortion, I think, if we're talking about these parents who ... do feel responsible for their children, they'll be happy to do that, even if that decision wasn't theirs, if it means it might save their kid's life.

REPRESENTATIVE LYNN surmised that a parent might want to sue [a medical facility] for causing a condition in his/her child for which the parent now has to pay through no fault of his/her own; that might be an unintended consequence of failing to pass HB 364.

MS. O'NEAL COLE, acknowledging that that is a point to consider, surmised, however, that a parent will have to pay for the cost of his/her child having a baby that the parent didn't consent to her having. "Either way, there may be some expenditure, there may be some responsibility, there may be things that parents

don't want; ... I think, in having children, you know that things are going to happen that you don't want to happen ... - they're not going to do everything you hope that they would do," she added.

REPRESENTATIVE LYNN acknowledged that point.

[2:31:07 PM](#)

DEBBIE JOSLIN, President, Eagle Forum Alaska, relayed that she, Eagle Forum Alaska, and the 1,100 member-families that Eagle Forum Alaska represents are in support HB 364. She referred to an organization called Life Dynamics, Inc., and relayed that that organization had a staff member call different abortion clinics around the country pretending to be a pregnant 13-year-old who had a 27-year-old boyfriend and was seeking an abortion. Ms. Joslin offered her understanding that that staff member was told by those at the abortion clinics not to tell her parents and not to mention the boyfriend's age again, and that such conversations were recorded. She characterized Planned Parenthood organizations and other abortion clinics as being in the business of providing abortions and not necessarily seeking to protect the rights of children.

MS. JOSLIN went on to say:

Whether we like it or not, god has made parents for kids. And parents are not perfect and they make mistakes, and some parents are really downright rotten. But the majority of the time parents are a great thing, and it is their job and their responsibility to protect their kids. And it is not the right of the State or Planned Parenthood or anyone else to come between a parent and their child. And ... the courts were way out of bounds, in my opinion, to say that a parent has no right to have consent required before a minor's abortion.

MS. JOSLIN pointed out that when a child gets a headache at school, the school must get a parent's permission before administering aspirin. Furthermore, a child seeking to get a tattoo or a piercing or join a sports team or go to camp must also obtain parental consent. On the issue of confidentiality at school, she offered her belief that although no one wants to embarrass a young girl by releasing the fact that she is seeking or has had an abortion, keeping that a secret will cause the

young girl more hurt than would discussing it openly with her parents.

MS. JOSLIN said that as a parent, she wants her daughters to be honest with her, but regardless of whether they do, it is her right as a parent to know what her children are doing and to have the final say about what is going on with them, and the law shouldn't interfere with that right. There are girls that have been sexually abused repeatedly, but their parents didn't know about it because they were not required to give consent to an abortion. She added:

We had a women who was engaged to a fellow and he was having sex with her ... 13-, 14-year-old daughter and had gotten her two abortions ... before it all came out, and the reason he could do that was because he would sexually abuse this girl and he would take her into an abortion clinic, and he was not her parent - he was just some man - and they did not require a parent's signature, and this woman didn't know that this was going on.

MS. JOSLIN, in conclusion, said she thinks that it would be a disservice to families, parents, and kids if the bill is not passed.

[2:37:58 PM](#)

ROCKY PLOTNICK, after relaying that she is a health educator and the parent of four grown children, said that by the time teenagers in Alaska reach the age of 16, roughly half of them report that they are sexually active. She offered her belief that it is very important to encourage parents to talk to their children and vice versa, and that "values" shouldn't be taught in the school, and said she supports pregnancy prevention, not only via obstacles and barriers, but also via abstinence - though the reality is that not everyone will choose to be abstinent - and supports open relationships/communication between parents and children. She mentioned that many of her children's friends and some of her adult friends have shared with her some of the sexual issues they've had to deal with, and opined that although she thinks the intention of HB 364 is good in terms of parents and their rights, she is afraid that if it is enacted, the very few young women who may choose to terminate a pregnancy may be so intimidated by the court system or other factors that they put themselves in horrible situations. She expressed concern that there will be people without financial

resources who won't get any assistance. In conclusion, she said she believes that pregnancy prevention is part of the solution so that every child is a wanted child and is planned for.

[2:43:11 PM](#)

MAKO HAGGERTY stated that he opposes HB 364. He relayed that he has children and likes to think that he has a good relationship with them, that his friends have good relationships with their children, and that he doesn't need the state to mandate him having open communication with his children - he just does it because he wants to. Unfortunately, not all kids are as lucky, and it is those kids that the bill is aimed at, the kids who are in trouble and have difficulty communicating with their parents and have no one to turn to. House Bill 364 puts those young women in a more stressful position than they are already dealing with. He added, "In fact, I believe that a teenage girl that's in trouble may be one of the loneliest and weakest members of our society, and this bill beats them up."

MR. HAGGERTY went on to say:

If you want to outlaw abortion - and ... I can't help but think that's really what this is all about, and it's kind of a backdoor way of ... picking away at abortion rights, but, fair enough, if you want outlaw abortion - then do so across the board so we don't pick on the weakest of the weakest of society. I grew up believing that it's the government's responsibility to protect weaker members of society - I think that's the job of government - and this law does not protect these young women. In fact, I believe these young women are safer without this law. I oppose House Bill 364 - I believe it's a bully tactic. Thank you for this opportunity [to speak].

CHAIR RAMRAS pointed out that some would argue that the fetus is the weakest of all in society. He said he is interested in knowing at what age a girl is capable of making "this" decision.

[2:47:01 PM](#)

JIM MINNERY, President, Alaska Family Council, indicated that he would be speaking in support of HB 364. He said the Alaska Family Council believes that the Alaska Supreme Court decision declaring the parental consent law unconstitutional strips parents of the ability to oversee their children's health.

Denying parents the opportunity to be involved in a life-altering experience such as an abortion encourages alienation and isolation between parent and child when the child is perhaps in greatest need for guidance and support. If, he argued, there isn't any legislation that could create better family communication, then why are children in Alaska not able to become licensed drivers, get aspirin at school, get a tattoo, get pierced, go on field trips, get on a sports team, or join a local gym without getting parental consent. He opined that the State does have a vested interest in ensuring that communication occurs with regard to some issues.

MR. MINNERY, referring to the comment that those teenagers who don't talk to their parents about getting an abortion don't do so for a good reason, opined that it really depends on one's definition of "good." He offered his understanding that a study conducted of 490 girls that pursued parental bypass in Massachusetts found that 50 percent reported that they had positive relationships with their parents. Despite this, those girls still sought to bypass parental involvement in their decision to have an abortion: 22 percent of those girls were trying to avoid parental involvement simply to avoid the loss of parental trust, avoid parental disappointment, or avoid loss of parental respect; another 22 percent of those girls wanted to avoid parental involvement simply because their parents held different ideological views about abortion. Only three out of all the girls in that study said they were seeking parental involvement because they feared possible physical harm from their parents.

MR. MINNERY offered his belief that had the U.S. Supreme Court Justice who authored Roe v. Wade been a justice on the Alaska Supreme Court, he would have upheld Alaska's parental consent law as constitutional; that the court of that justice's era consistently upheld parental involvement laws as long as they included a judicial bypass provision - as was contained in Alaska's law. Mr. Minnery, noting that his organization agrees, offered his belief that the dissenting opinion in Planned Parenthood of Alaska observed that the Alaska legislature went out of its way in crafting the judicial bypass provision in that law to accommodate the unique circumstances in Alaska. He also offered his understanding that the last time the U.S. Supreme Court considered a parental consent statute, it ruled 9-0 that that statute was constitutional; and that at the local level, in Alaska, the medical director of PPA stated that she did not provide abortions to girls under the age of 17 because she

didn't believe they could handle the process without parental/adult supervision.

MR. MINNERY, in conclusion, said that his organization believes that most Alaskans should be outraged that the court has thrown away the rights of parents to determine whether their daughters can undergo what he characterized as an invasive, irreversible surgical procedure that takes the life of their unborn grandchildren. The Alaska Family Council, he relayed, strongly urges the committee to support HB 364 and restore the rights of parents to oversee the health decisions of their children.

[2:52:35 PM](#)

JOYCE E. BAMBERGER, after relaying that she was one of the lawyers who worked on the "parental consent litigation," remarked that one of the difficult things that comes to mind whenever legislation such as HB 364 comes up is that it is truly counterintuitive - as a parent, everyone recoils at the thought of not having parental involvement in any minor's decision. But it's important, she said, to understand that because of the "strange" language in the bill, the legislature should really consider what is needed - factually and scientifically - to protect minors' health, and the language in HB 364 doesn't provide that yet. She added:

There is so much research on this - it is cited on both sides ... of the briefs and the many cases that have been filed [indisc.] - that I think it's pretty undisputable that over 60 percent of the minors who seek to have an abortion do so with ... parental involvement, and those that do not have a good reason to choose not to do so. I cannot encourage you enough, before you proceed with this bill, to look at the scientific research on it. ... I did do some more [research] since the time of the litigation, and ... I saw nothing new than what was true years ago when we presented this issue to the courts.

But basically you can see very good studies by the Alan Guttmacher Institute, by Stanley Henshaw, and by articles in something called the Science journal where you see many physicians who strongly believe that requiring consent or notification before a minor gets an abortion is harmful to the health of the young women. This is, in fact, the position of most doctors who practice in the area of [obstetrics and

gynecology] and who also are adolescent psychiatrists, and ... if you wanted ... citations on that, ... I'd be happy to get them for you.

MS. BAMBERGER, with regard to the concern about the brain chemistry of minors, pointed out that there is information on file with the supreme court which illustrates that minors who are mature enough to decide to give birth are equally mature enough to decide to have an abortion. Furthermore, by their own medical guidelines, in obtaining informed consent, doctors already must counsel their patients to seek the guidance of their parents, so this is really a redundant bill. In making public health policy, she cautioned members against simply responding to hyperbole instead of to scientific facts, and concluded by saying she opposes HB 364.

REPRESENTATIVE LYNN asked whether the Guttmacher Institute is either owned by, an arm of, or associated with Planned Parenthood.

MS. BAMBERGER said she does not believe it is but would research that issue further.

REPRESENTATIVE GRUENBERG said, "Suppose it is supported or associated with Planned Parenthood, what difference does that make?"

REPRESENTATIVE LYNN opined that that would reflect the bias of the organization.

[2:58:30 PM](#)

DAVID BRONSON, Treasurer, Alaska Family Council, mentioned that he is the father of two - a daughter and a son - and said he would be speaking in favor of HB 364. He referred to Ms. Joslin's testimony and said there was very little he could add to that. After pointing out that his daughter must get parental consent to join a sports team but need not get parental consent for an abortion, he opined that limiting abortion as much as possible and bringing adults into the process will protect the children. Allowing a girl between the ages of 14 and 17 to get an abortion really isn't making "the problem" go away, because someone of that age is not capable with dealing with "the situation." The bill will bring the most important people in a young girl's life - her parents - into the decision-making process.

MR. BRONSON, referring to PPA's comment that some minors may need protection from their parents, opined that PPA is simply trying to protect its revenue stream. He challenged the legislature to address the issue of abortion and the question of whether it is right or wrong; if the legislature determines that abortion is right, then it should remove restrictions on abortion, but if the legislature determines that abortion is wrong, then it should put reasonable restrictions on abortion - a reasonable restriction such as is being proposed via HB 364. In conclusion, he said he is in favor of HB 364, and thanked the sponsor for introducing the legislation.

REPRESENTATIVE LYNN said that although he agrees that abortion is an element of the debate, he views this issue as a parental rights issue and a separation of power issue.

CHAIR RAMRAS said to Mr. Bronson that although he himself has concerns with PPA and its agenda, he wouldn't presume that generating revenue is PPA's top-tier concern; that revenue generation is not the topic of discussion; and that he would no more tolerate similar comments being made towards Mr. Bronson's organization than he will tolerate them being made towards PPA.

[3:04:39 PM](#)

AMY CHRISTIANSEN, R.N., offered her understanding that HB 364 will take away a teenager's right to get an abortion without her parents' permission. She then said:

For me, this is about a teenager's rights, and I think that it's our job to protect a minor's rights. I'm pretty sure everyone is familiar with "the Pilgrim family in McCarthy," and I just wonder, would "Papa Pilgrim" have been granted permission to keep one of his children from an abortion, and I think that puts a face and a name on it that we're all familiar with.

MS. CHRISTIANSEN opined that even if the bill will only affect a small percent of teenagers, it's those teenagers that need to be protected. She said she doesn't think the issue is about protecting a parent's rights but, rather, it's about protecting a teenager's/minor's rights. A woman is born with the right to decide [whether or not to give birth], she opined, and just because a woman is still a teenager, that right shouldn't be taken away. She said she would hate to see society return to the days when a teenager has to seek out someone willing to perform an illegal abortion, because those aren't safe.

MS. CHRISTIANSEN surmised that the issue is one of health care, since healthcare providers are the ones who provide abortion services, and that it shouldn't be the doctor's responsibility to obtain a parent's consent in order to provide that service. In conclusion, she said she opposes HB 364, and offered her hope that members will see it for what it is - an attack on a woman's right to choose.

REPRESENTATIVE GRUENBERG asked whether there is any other legal restriction in Alaska on the age at which a minor can get other types of medical care without his/her parents' permission.

MS. CHRISTIANSEN said she did not know, but offered that pregnancy doesn't have just a medical aspect, but also a psychological aspect. On the issue of brain chemistry and the question of at what age is someone capable of making an adult decision [such as whether to give birth or have an abortion], she posited that the brain chemistry of many adults still isn't advanced enough to make such a decision; [having to make such a decision] isn't a function of how old someone is.

[3:09:19 PM](#)

REV ORION relayed that he is a single father of a nine-year-old son, and that when his son was conceived, his father told him to seek abortion. He said that he is very much against HB 364 because allowing parents to be a part of a person's decision [of whether to give birth or have an abortion] seems to be based on the ability of the parents to communicate with their child. He remarked that if his son gets into a situation in which he has to make a grown-up decision and his son doesn't chose to come to him [for advice], he wouldn't consider that to be a failure on the part of his son or on the part of some law; rather, it would a failure on his part because it is his responsibility as a parent to ensure that his child can communicate with him, and if he fails to do so, then his child won't include him when making decisions.

MR. ORION opined that a child shouldn't be punished for a parent's inability to communicate with the child. A parent's part in "this decision" is to inform and educate his/her child so that an unwanted pregnancy doesn't occur to begin with. Although a parent could be a child's most important resource, that's not always the case. Furthermore, on the issue of "bad-acting parents" versus responsible parents, who gets to make that judgment? What constitutes a responsible parent? Someone

who will tell their child not to have an abortion? Or someone who will actually communicate with his/her child?

MR. ORION - referring to the comments that children are required to obtain parental consent before obtaining aspirin at school, or getting a tattoo or a piercing, or joining a sports team, or going to camp - pointed out that that is a very weak comparison because those are all pretty simple things, whereas being responsible for giving birth to a baby is on quite a different level. If a girl has a baby at the age of 14, 15, or 16, that is taking on quite a bit more responsibility than if she is just taking aspirin or playing sports. Therefore, the question becomes who should get to make that decision - the person who will have to become a parent herself for the next 18 years, or her parents, who weren't even able to bring about quality communication with their daughter.

MR. ORION, with regard to the argument that a parent will have to pay for the cost of something going wrong with an abortion procedure, pointed out that that, too, is part of the responsibility of being a parent; "you have to be able to manufacture communication with your child, [and] if you can't do that, then, yes, you deserve to be called and told that ... now you need to come take care of this." It's the parents' responsibility to communicate with their child, and it's not the government's role to impose such a responsibility upon 14-, 15-, or 16-year-old girls.

MR. ORION said he works at PPA and has had people call up and ask whether there is any way to perform an abortion on themselves. He's had people call up and say that their parents won't let them have an abortion; he's had people call up and say their parents were forcing them to have an abortion. He's had people ask him whether doing "a bunch" of methamphetamine would succeed in killing the fetus. So when anybody asks staff at PPA what her options are, he and every other staff member tell the person that she has three options: adoption, abortion, or raising a child. No one in the country, he surmised, is running around promoting abortion, and the thought of such is ridiculous.

MR. ORION, on the concept of requiring a girl to obtain parental consent before receiving an abortion, remarked, "How ridiculous would it be if we forced them to get their parents' permission to have a baby." In conclusion, he offered his belief that the real intention of HB 364 is to limit abortion, characterized

[the bill] as poorly thought out, and recommend that members vote against the bill.

[3:15:12 PM](#)

REPRESENTATIVE LYNN asked Mr. Orion what parental rights should be retained.

MR. ORION opined that decision-making with regard to either having an abortion or giving birth should be by the one whose life will be affected.

REPRESENTATIVE GRUENBERG noted that the bill says a parent, legal guardian, or custodian may not coerce a minor into having an abortion, but doesn't speak to coercing a minor into giving birth.

MR. ORION said he was merely trying to illustrate that there is a personal decision that needs to be made, and that attempting to force a child to get her parents' permission to have an abortion is similar to attempting to force a child to get her parents' permission to have a baby or to have sex.

[Following was a brief discussion regarding how the committee would be proceeding.]

[3:18:03 PM](#)

JOELLE HALL relayed that she is the mother of two children - a boy and a girl - and opposes HB 364 on many levels. She elaborated:

I'll [start and end] with the issue of your desire to help me parent. When you boil this down to its essence, this bill is designed to extend my parental control as long as possible, long after - as most of us in this room will admit - we quit consulting our parents and started making decisions for ourselves, especially about the opposite sex. No matter what we want, the moment our children decide to have sex, [it] will happen without us. I know this because I could have told my parents anything, [but] did I tell them when I was ready to have sex? No. Why? Because, as understanding as they were, it was none of their business. If I had gotten pregnant, I would have worked really hard to solve my own problem and not tell them.

I really hope my daughter won't feel the same, but I can't predict that. This bill just makes it hard for girls who cannot or will not tell their parents that they are pregnant [to] access a ... legal and safe abortion. Teenagers, being what they are - girls who cannot tell their parents or tell anybody - will do whatever it takes to ... end their pregnancy and still not tell. Teenagers think they're immortal and kids are full of misinformation. This just forces kids into bad situations, to look to their peers to solve problems, and I think that we can all admit that that is not the best place to go looking for answers.

MS. HALL went on to say:

Your desire to extend my parental reach is understandable. Some people apparently want to use the government to maintain our roles as parents and advisor after nature starts to drive us and our children apart. But it won't work. And what I mean by "apart" is, they start to grow and we start to cling - it's the human condition, but it doesn't change anything. In my opinion, this bill flies in the face of reality. Your insistence on controlling our girls will ironically result in them resorting to their own devices. Teenagers will turn to unsafe methods ... and deal with each other to end their unwanted pregnancies. We all want to be involved in these important decisions, [but] no matter how many laws you pass trying to help me parent, you can't make my daughter tell me if she doesn't want to. This bill might actually have the unintended consequence of stifling, not encouraging, conversations.

MS. HALL, with regard to the issue brain chemistry, said that a book titled The Female Brain speaks about the influence of sex hormones on the unborn, on babies, on women, and on women going through menopause, as well as speaking about what teenage girls are thinking about: sex. Even so, girls think about sex only about 20 percent as much as boys do, and so they are kind of in a difficult situation. With regard to the piercing and tattoo analogy, Ms. Hall pointed out that what a teenager can't get without their parents' permission is a supervised, clean, licensed tattoo or piercing - teenagers can still get a tattoo [or piercing] from their friends or from an unauthorized source.

That's what's at issue here, she opined, keeping [abortion] safe and legal, or driving it underground.

[3:21:58 PM](#)

ANN LINDSLEY relayed that she is 18 years old, has recently graduated from high school, is now out of state attending college, and would be speaking on behalf of teenage girls. Although HB 364 would no longer affect her, she remarked, it would still affect some of her friends in high school. She went on to say:

I have a great relationship with my mother and my parents, and I would naturally tell her even now if I needed an abortion, but I fear for all the girls that can't. This is a very personal issue; it should not be State mandated. Keeping teenagers safe needs to be the top priority. And in my town you can't get an abortion - you can't even get an abortion in the next town over - you'd have to go up to Anchorage, and most teens would need to get their parents' permission to either drive through Canada to get up to Anchorage or to get ... a plane ticket, so they need to talk to their parents anyways.

So we need to make sure [that on] their own terms they talk to their parents. We need to make sure that parents are willing to talk to their kids. Making it State mandated and putting it into law will not help things. And then finally, this idea of going to a judge and getting a court order would be excessively complicated - especially in my town. Getting an excuse from school, I know the secretaries personally, I know their kids - I'm good friends with their kids - and ... something I know I wouldn't [want to] have to do is to go in and give a note to get to miss class to go to court, especially if they'd know the reason. It's just something I find way too personal and I wouldn't want the school to be able to get involved with that.

MS. LINDSLEY concluded:

And going to court and going through a complicated process just seems like way too much work and it extends the ... time excessively. I think the most important thing is to be able to keep teenagers safe,

and sometimes that means they don't/can't tell their parents, and that's just the way it is. ... I agree with all who have opposed [HB 364] and I believe many of them have made excellent points.

CHAIR RAMRAS indicated that HB 364 would be held over with public testimony remaining open.

ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 3:27 p.m.