

HOUSE FINANCE COMMITTEE  
March 25, 2009  
6:34 p.m.

6:34:35 PM

CALL TO ORDER

Co-Chair Stoltze called the House Finance Committee meeting to order at 6:34 p.m.

MEMBERS PRESENT

Representative Mike Hawker, Co-Chair  
Representative Bill Stoltze, Co-Chair  
Representative Bill Thomas Jr., Vice-Chair  
Representative Allan Austerman  
Representative Harry Crawford  
Representative Anna Fairclough  
Representative Richard Foster  
Representative Les Gara  
Representative Reggie Joule  
Representative Mike Kelly  
Representative Woodie Salmon

MEMBERS ABSENT

None

ALSO PRESENT

Marina Lindsey, Juneau; Caroline Schultz, Chugiak

PRESENT VIA TELECONFERENCE

Theda Pittman, Anchorage; Clover Simon, Anchorage, Vice President, Alaska for Planned Parenthood Great Northwest; Katherine Brown, Anchorage; Kathleen Dam, Anchorage; Jeffrey Mittman, Anchorage, Alaska Civil Liberties; Kay Lahdenpera, Anchorage; Karen Lewis, Executive Director for Alaska Right-to-Life, Mat-Su; Barrett Fletcher, Homer; James Kennon Spiers, Fairbanks; Tammie Wilson, Fairbanks; Debbie Joslin, Delta Junction; Nancy Bishop, Anchorage; Robin Ford, Anchorage; Shawn Beck, Substance Abuse Counselor, Ketchikan; Meghan Gaughan, Student, UAA; Roger Owens, Retired Military Officer, Anchorage; Patricia Stoll, Wasilla; Amy Devereux, Anchorage; Patricia Odden, Wasilla; Nikki Hunter, Salcha; Bruce Lalonde, Anchorage; Deb Schultz, Chugiak; Kate West, Fairbanks; Cheryl Humme, Barrow; Kathy Forest, Anchorage

GENERAL SUBJECT(S):

The following overview was taken in log note format. Handouts will be on file with the House Finance Committee

through the 26th Legislative Session, contact 465-6814. After the 26th Legislative Session they will be available through the Legislative Library at 465-3808.

#hb35

HOUSE BILL NO. 35

"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 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."

PUBLIC TESTIMONY

TIME	SPEAKER	DISCUSSION
<a href="#">6:35:48 PM</a>	MARINA LINDSEY, JUNEAU,	Spoke against HB 35. She spoke of money lost in a previous bill. She believed this bill will hurt many children who are already vulnerable. She hoped for teen education to prevent pregnancy.
<a href="#">6:38:47 PM</a>	CAROLINE SCHULTZ, CHUGIAK,	Expressed opposition to HB 35. She did not believe this to be a judicial way to spend funds. She believed this an inequity issue between city and rural young people.
<a href="#">6:42:15 PM</a>	Representative Gara	Expressed that just because committee members do not ask questions it does not mean that they are not paying attention.
<a href="#">6:43:22 PM</a>	THEDA PITTMAN, ANCHORAGE testified via teleconference	Spoke against HB 35. She thought the bill was misguided. She believed more planning should be offered in teen pregnancy education. She considered this bill against the will of the people. She stressed that the legislature should use fiscal responsibility wisely.
<a href="#">6:46:59 PM</a>	CLOVER SIMON, ANCHORAGE, VICE PRESIDENT, ALASKA FOR PLANNED PARENTHOOD GREAT NORTHWEST testified via teleconference	Spoke against HB 35. She clarified misinformation on various birth control medicines. She corrected the number of teens that access abortion services in Alaska. She declared about 90 percent of teens do involve their parents in the decision. She noted Planned Parenthood is in the business of preventing pregnancy by supplying information and birth control. It does not promote abortion, but is a service for people in need. She noted the great

		expense to those from rural areas.
<a href="#">6:51:46 PM</a>	Representative Gara	Voiced his concern on the 48 hour waiting period and he wanted to know when young women first realize they are pregnant.
<a href="#">6:52:47 PM</a>	Clover Simon	Acknowledged that women under the age of 17 often have later term abortions, in the 10 <sup>th</sup> week. Adding on a 48 hour wait period could push them over the first trimester which would require a trip to Seattle.
<a href="#">6:53:37 PM</a>	Representative Gara	Wanted to know if the 10 <sup>th</sup> week is an average or some in the 10 <sup>th</sup> week. He asked if this is on the edge of the first trimester.
	Clover Simon	Agreed this is the on the edge of the first trimester. The first trimester in Alaska is considered to 13 weeks and 6 days.
<a href="#">6:54:10 PM</a>	Representative Gara	Asked for clarification if it was an average of 10 weeks.
	Clover Simon	Replied it was on average 10 weeks.
<a href="#">6:54:23 PM</a>	KATHERINE BROWN, ANCHORAGE testified via teleconference	Spoke against HB 35. She believed that this bill was based on false logic. She also indicated this was a misuse of the states money.
<a href="#">6:55:08 PM</a>	KATHLEEN DAM, ANCHORAGE testified via teleconference	Testified in opposition to HB 35. She promoted sex education as a way to prevent teen pregnancy.
<a href="#">6:56:48 PM</a>	JEFFREY MITTMAN, ANCHORAGE, ALASKA CIVIL LIBERTIES testified via teleconference	Expressed opposition to HB 35. He expressed the needless financial risk to the state. He spoke of harm to teens but this would not harm the parent-child relationship. He warned of the risk that young women would seek illegal dangerous abortions.
<a href="#">7:00:47 PM</a>	Representative Gara	Asked if Mr. Mittman was an attorney.
<a href="#">7:01:00 PM</a>	Jeffrey Mittman	Answered yes he was.
<a href="#">7:01:04 PM</a>	Representative Gara	Asked which provisions in this bill are believed to be unconstitutional.
<a href="#">7:01:21 PM</a>	Jeffery Mittman	Noted that the Alaska Supreme Court looked at the issue of privacy protected under the Alaska State Constitution.
<a href="#">7:02:14 PM</a>	Representative Gara	Questioned if the 48 hour waiting period was unconstitutional.
<a href="#">7:02:28 PM</a>	Jeffrey Mittman	Noted the courts would like to look at the realistic impact. In a state like

		Alaska there are problems with the infrastructure, travel and resources. The realities of Alaska is that the 48 hour waiting period would be looked at by the courts as a barrier or bar so the teen is restricted from needed medical care.
<a href="#">7:03:02 PM</a>	Representative Gara	Asked if any other provisions caused concern to the Alaska Constitution.
<a href="#">7:03:22 PM</a>	Jeffery Mittman	Pointed out that the way the judicial bypass is written that a teen get a notarized statement which is corroborated by another individual. The court could look at these as reasonable but restrictive as a bar and the court could look at this as an unconstitutional invasion of the teen's privacy.
<a href="#">7:04:07 PM</a>	Co-Chair Stoltze	Asked if there were any good faith efforts that were improvements on the part of the sponsor's work.
<a href="#">7:04:14 PM</a>	Jeffrey Mittman	Agreed this is good faith effort in the attempt to foster parent-child communication, but as written with the numerous bars to teens accessing medical care, the harms far outweigh any good intentions.
<a href="#">7:04:52 PM</a>	KAY LAHDENPERA, ANCHORAGE testified via teleconference	Expressed opposition to HB 35 and feared self abortion rising again. She voiced her concern for the young people in Alaska.
<a href="#">7:08:37 PM</a>	KAREN LEWIS, EXECUTIVE DIRECTOR FOR ALASKA RIGHT-TO-LIFE, MAT-SU testified via teleconference	Spoke in support of HB 35. She applauded the legislature for this bill. She reported about 40 percent of teens have abortions without parent's consent. She believed parents should be involved in all issues concerning the teen. She warned of the psychological and physical damaging issues after abortion. She provided statistics supporting her beliefs.
<a href="#">7:14:54 PM</a>	BARRETT FLETCHER, HOMER testified via teleconference	Spoke against HB 35. He observed that the fiscal note will be challenged in court and all Alaskans will be paying for the beliefs of a few.
<a href="#">7:16:27 PM</a>	JAMES KENNON SPIERS, FAIRBANKS testified via teleconference	Spoke in support of HB 35. He indicated how upset he would be if his daughter had an abortion without his knowledge.
<a href="#">7:18:46 PM</a>	TAMMIE WILSON,	Spoke in support of HB 35. She agreed

	FAIRBANKS testified via teleconference	that parents should be consulted before an abortion happens.
<a href="#">7:20:35 PM</a>	Representative Gara	Commended the last two speakers for voicing their opinions without attacking those with different beliefs.
<a href="#">7:21:52 PM</a>	DEBBIE JOSLIN, DELTA JUNCTION testified via teleconference	Spoke in support of HB 35. She believed the rights of parents needed to be instituted into law. She believed it protects young people against their immaturity. She stressed that young women are at risk from predatory males who may force them to have an abortion.
<a href="#">7:26:34 PM</a>	NANCY BISHOP, ANCHORAGE testified via teleconference	Spoke against HB 35. She maintained that many young people do not come from supportive homes. She expressed the fear of back alley dangerous abortions. She regarded sex education as a better way to spend the state's money.
<a href="#">7:29:38 PM</a>	ROBIN FORD, ANCHORAGE testified via teleconference	Testified against HB 35. She pointed out that parental consent would not prevent abortion. She suggested a state mandated sex education program.
<a href="#">7:31:42 PM</a>	SHAWN BECK, SUBSTANCE ABUSE COUNSELOR, KETCHIKAN testified via teleconference	Expressed opposition to HB 35. She revealed that teens often do not have a close or healthy parental bond. She believed if a road block existed, many would seek desperate measures. She stressed that not everyone has a perfect family and putting policy were it does not belong. She noted that the bill had already been found unconstitutional. She suggested that money should be directed toward solving the problem by providing sex education for teens.
<a href="#">7:32:58 PM</a>	MEGHAN GAUGHAN, STUDENT, UAA testified via teleconference	Spoke against HB 35 and stated concerns about the costs to the state of contesting the constitutionality of the bill. She feared young women would resort to unsafe abortion options. She shared experiences with women in rural communities and thought the 48-hour notice was unjust especially in remote areas.
<a href="#">7:36:24 PM</a>	ROGER OWENS, RETIRED MILITARY OFFICER, ANCHORAGE testified via teleconference	Testified in opposition to the legislation on behalf of himself and his daughters. He would not force his daughters to have a child they did not want, nor would he force them to have an abortion. He had concerns about court costs and other future costs.
<a href="#">7:40:22 PM</a>	Representative	Acknowledged her connection with and

	Fairclough	respect for Mr. Owens.
<a href="#">7:40:51 PM</a>	PATRICIA STOLL, WASILLA testified via teleconference	Expressed opposition to HB 35 because of unconstitutionality. She did not believe communication could be legislated. In addition, the 48-hour waiting period is wrong.
<a href="#">7:42:30 PM</a>	AMY DEVEREUX, ANCHORAGE testified via teleconference	Spoke in opposition to HB 35. She described her personal experience as a young person. She noted the high rates of child abuse in Alaska and the difficulty of some teens in speaking with parents. She was concerned about court costs in a weak economy.
<a href="#">7:45:10 PM</a>	PATRICIA ODDEN, WASILLA testified via teleconference	Urged opposition to HB 35 as a mother and grandmother. She thought teens in danger in a village would not get necessary and expensive medical attention. She called for sex education.
<a href="#">7:46:37 PM</a>	NIKKI HUNTER, SALCHA testified via teleconference	Voiced support in HB 35. She believed this bill would protect young woman who want to keep their children. She thought teens going in for a pregnancy test would be offered hormonal birth control without the education that it does not protect against STDs. She thought parents could educate children and guide their children better if they were involved.
<a href="#">7:49:47 PM</a>	BRUCE LALONDE, ANCHORAGE testified via teleconference	Spoke in support of HB 35. He noted as a foster parent, he believed young children under 17 are not mature enough to make their own decisions.
<a href="#">7:50:51 PM</a>	DEB SCHULTZ, CHUGIAK testified via teleconference	Testified in opposition to HB 35. She considered this a bad fiscal choice for the time. She honored her children to make reliable choices.
<a href="#">7:52:46 PM</a>	KATE WEST, FAIRBANKS testified via teleconference	Spoke against HB 35. She believed that most young people would inform their parents, but if they did not, it was usually for a very good reason.
<a href="#">7:54:28 PM</a>	AT EASE	
<a href="#">7:55:23 PM</a>	RECONVENED	
<a href="#">7:55:27 PM</a>	CHERYL HUMME, BARROW testified via teleconference	Testified in opposition to HB 35. She believed every child should be a wanted child. She advocated that more sex education as a better way to spend the state's money. She believed this would put some families at greater danger.
<a href="#">7:59:59 PM</a>	KATHY FOREST, ANCHORAGE testified via	Spoke against HB 35. She thought this bill would hurt those young people who do not have the support of their

	teleconference	parents. She thought the money could be better spent on education.

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ADJOURNMENT

The meeting was adjourned at 8:02 PM