

**ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

March 11, 2009

1:07 p.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

All members present

OTHER LEGISLATORS PRESENT

Senator Linda Menard
Senator Donald Olson

COMMITTEE CALENDAR

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."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 35

SHORT TITLE: NOTICE & CONSENT FOR MINOR'S ABORTION

SPONSOR(S): REPRESENTATIVE(S) COGHILL

01/20/09	(H)	PREFILE RELEASED 1/9/09
01/20/09	(H)	READ THE FIRST TIME - REFERRALS
01/20/09	(H)	JUD, FIN

03/09/09 (H) JUD AT 1:00 PM CAPITOL 120
03/09/09 (H) Heard & Held
03/09/09 (H) MINUTE(JUD)
03/11/09 (H) JUD AT 1:00 PM CAPITOL 120

WITNESS REGISTER

BRITTENY A. CIONI
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

JEFFREY A. MITTMAN, Executive Director
American Civil Liberties Union of Alaska (ACLU of Alaska)
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

CAYLEIGH ALLEN
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

ALICE SMOKER
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

LISA EAGAN-LAGERQUIST
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

SUZANNE FORSLING
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 35.

AARON K. "KIT" DAHLSTROM
Anchorage, Alaska

POSITION STATEMENT: Testified in favor of HB 35.

SIDNEY HEIDERSDORF, President
Alaskans For Life, Inc.
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 35.

ELIZABETH ROLL, M.D.
Bethel, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

TAMMIE WILSON
Fairbanks, Alaska

POSITION STATEMENT: Spoke in favor of HB 35.

KASSI GRUNDER
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

GAIL McCANN
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 35.

JEANETTE LACEY DUNN
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

PATRICIA FINK
Fairbanks, Alaska

POSITION STATEMENT: Provided comments during discussion of HB 35.

MARIA RENSEL
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 35.

MIKE PRAX
North Pole, Alaska

POSITION STATEMENT: During discussion of HB 35, indicated support for it.

KAREN LEWIS, Executive Director
Alaska Right to Life
(No address provided)

POSITION STATEMENT: Provided comments during discussion of HB 35.

KEN ERBEY
Palmer, Alaska

POSITION STATEMENT: Provided comments during discussion of HB 35.

DOUG McKINNIS
Wasilla, Alaska

POSITION STATEMENT: During discussion of HB 35, provided comments and asked the committee to vote "Yes" on the bill.

SHANA CARDOZA
Homer, Alaska

POSITION STATEMENT: Asked the committee to vote "Yes" on HB 35.

CHARLES ROHRBACHER, Deacon
Roman Catholic Diocese of Juneau
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 35, and responded to questions.

ANNIE MEURLOTT
Fairbanks, Alaska

POSITION STATEMENT: During discussion of HB 35, read a letter signed by herself and some of her neighbors.

AMY BOLLENBACK
Homer, Alaska

POSITION STATEMENT: Provided comments during discussion of HB 35.

CHRIS FONTAINE
Homer, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

HANNAH FOREMAN
Eagle River, Alaska

POSITION STATEMENT: During discussion of HB 35, asked the committee to support the bill.

JESSICA WELLER, Victim Advocate
Standing Together Against Rape (STAR)
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

MEGH BARNETT
Anchorage, Alaska

POSITION STATEMENT: Provided comments during discussion of HB 35.

NANCY BISHOP
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

JACKIE CASON
Anchorage, Alaska

POSITION STATEMENT: Provided comments during discussion of HB 35.

AMY LEE
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

KRYSTAL MEULENERS
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

DIANNE HOLMES
Anchorage, Alaska

POSITION STATEMENT: Provided comments during discussion of
HB 35.

BRITTANY GOODNIGHT, Public Affairs Manager
Planned Parenthood of the Great Northwest (PPGNW)
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

GERAN TARR, Director
Alliance for Reproductive Justice (ARJ)
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

STEPHANIE TAYLOR
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 35.

SARAH CASE
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 35.

JESSICA LARSON
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 35.

ANN GRAY
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 35.

MARGARET BROWN
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 35.

STEPHANIE SCHURTER
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 35.

ROBERTA N. HUNTER
Salcha, Alaska

POSITION STATEMENT: Testified in support of HB 35.

CARISSA PHILLIPS
Anchorage, Alaska

POSITION STATEMENT: During discussion of HB 35, urged passage of the bill.

PAULINE LAFOREST
Palmer, Alaska

POSITION STATEMENT: Testified in support of HB 35.

DEBBIE JOSLIN, President
Eagle Forum Alaska
Delta Junction, Alaska

POSITION STATEMENT: Testified in support of HB 35.

DAVID BRONSON
Alaska Family Council
Anchorage, Alaska

POSITION STATEMENT: Provided comments during discussion of HB 35.

CATHY COTTON
Delta Junction, Alaska

POSITION STATEMENT: Testified in support of HB 35.

PAMELA SAMASH
Nenana, Alaska

POSITION STATEMENT: Testified in support of HB 35.

MICHAEL REMILLARD
Eagle River, Alaska

POSITION STATEMENT: Testified in support of HB 35.

RICK SIKMA
North Pole, Alaska

POSITION STATEMENT: Testified in favor of HB 35.

KAT DAVIS
Anchorage, Alaska

POSITION STATEMENT: During discussion of HB 35, indicated a preference for passage of the bill.

LEE CAGE
Eagle River, Alaska

POSITION STATEMENT: Testified in support of HB 35.

D. A. MCGILVARY

Fairbanks, Alaska

POSITION STATEMENT: Provided comments during discussion of HB 35, and asked that it be passed.

SETH CHURCH

Fairbanks, Alaska

POSITION STATEMENT: Provided comments during discussion of HB 35.

KIM BODIKER

Fairbanks, Alaska

POSITION STATEMENT: Provided comments during discussion of HB 35 and asked that members vote "Yes" on it.

CAROL SZOPA

Anchorage, Alaska

POSITION STATEMENT: During discussion of HB 35, said she was for passage of the bill.

JANET CREPPS, Deputy Director

U.S. Legal Program

Center for Reproductive Rights

New York, New York

POSITION STATEMENT: Testified in opposition to HB 35.

HEATHER CHURCH

Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 35.

HEIDI DOUDNA

Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 35.

ANNIE DOUGHERTY

Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 35.

GERR C. KEFFER

Eagle River, Alaska

POSITION STATEMENT: Provided comments during discussion of HB 35.

DICK STOFFEL

Palmer, Alaska

POSITION STATEMENT: Testified in favor of HB 35.

TIFFANY ROGERS-BORGES

Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 35.

MARLENE MEYER

Soldotna, Alaska

POSITION STATEMENT: Testified in favor of HB 35.

JACKIE GENGLER

Fairbanks, Alaska

POSITION STATEMENT: Urged support of HB 35.

DEVON SCHRODER

Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

SUSAN REEVES

Anchorage, Alaska

POSITION STATEMENT: Provided comments during discussion of HB 35.

BELISHA JEFFRIES

Eagle River, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

ORVILLE SMITH

Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

STEVE BRADLEY

Eagle River, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

KAREN MARTIN

(No address provided)

POSITION STATEMENT: Provided comments during discussion of HB 35.

ROBIN SMITH

Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

KATIE HULL

Anchorage, Alaska

POSITION STATEMENT: Provided comments during discussion of HB 35.

CASSONDRA ODDEN

Talkeetna, Alaska

POSITION STATEMENT: Testified against HB 35.

SCOTT PUSTAY

Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 35.

TABITHA CHRISMAN

Fairbanks, Alaska

POSITION STATEMENT: Indicated support for HB 35.

ACTION NARRATIVE

[1:07:31 PM](#)

CHAIR JAY RAMRAS called the House Judiciary Standing Committee meeting to order at 1:07 p.m. Representatives Ramras, Coghill, Gatto, and Dahlstrom were present at the call to order. Representatives Lynn, Gruenberg, and Holmes arrived as the meeting was in progress. Senators Menard and Olson were also in attendance.

HB 35 - NOTICE & CONSENT FOR MINOR'S ABORTION

[1:07:39 PM](#)

CHAIR RAMRAS [announced that the only order of business would be 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."].

[1:07:53 PM](#)

BRITTENY A. CIONI indicated that she would be testifying in opposition to HB 35. After noting that she is an economist, she pointed out that the economic effects of childbirth can be particularly severe on a teenager who drops out of high school and attempts to support herself and a child; in addition to current high unemployment rates, employment opportunities for teenagers and young adults are very limited and typically consist of low-wage jobs that most often do not include benefits

such as healthcare. To have to care for a baby at a young age saddles a teenager with responsibilities that limit her opportunities for education and therefore also limit her contribution to society. In addition to the economic consequences, the health consequences for minors giving birth can also be rather harsh: maternal mortality, non-fatal complications from premature birth, and underweight babies are higher among women who are under the age of 20. Access to reproductive healthcare, including abortion, is vital for pregnant minors, and being free from parental interference is just as vital.

MS. CIONI offered her belief that passage of parental notification legislation may make girls vulnerable to physical and emotional violence. Often, these types of laws will frighten teenagers away from medical care, delaying counseling and abortion until later on in the pregnancy, thus increasing the number of second- and third-term abortions that are performed on teenagers. First-term abortions, in contrast, are the safest. Such legislation will also increase the likelihood that teenagers will seek illegal abortions outside of the healthcare system. Most professional medical societies, including the American Medical Association (AMA), oppose parental notification laws; such laws have resulted in an increase in self-induced or illegal abortions, and in more minors bearing unwanted babies - the latter having all sorts of societal consequences.

MS. CIONI pointed out that not all teenagers are fortunate enough to have supportive parents. A paper produced by the American Psychological Association (APA) titled "Parental Consent and Adolescent Reproductive Health Care - What does the Psychological Research Say?" in part reads:

A disproportionate number of young adolescents who become pregnant live in severely unstable families (Ambuel, 1995). Thus, adolescents most at risk for pregnancy are also those most likely to come from violent and/or chaotic homes where they may not be able to seek guidance from their parents.

MS. CIONI, in conclusion, opined that HB 35 would impact [some of] society's most vulnerable members - at risk teenagers - and that it's the job of political leaders and citizens to protect those teenagers rather than harm them.

[1:13:18 PM](#)

JEFFREY A. MITTMAN, Executive Director, American Civil Liberties Union of Alaska (ACLU of Alaska), said that the ACLU of Alaska strongly opposes HB 35; as a nonpartisan organization, the ACLU of Alaska seeks to protect the rights - guaranteed under the U.S. Constitution and the Alaska State Constitution - of all Alaskans, and to preserve and expand civil liberties. Requiring parental consent for a minor's abortion violates the Alaska State Constitution according to the Alaska Supreme Court in State v. Planned Parenthood of Alaska. Furthermore, regardless of how one views the bill's constitutional infirmities, HB 35 will put Alaska's teenagers at risk. Parents, rightfully, want to be involved in their teenagers' lives, but no law can mandate family communication, and HB 35, if passed, would have terrible consequences in the real world because desperate teenagers will do desperate things. Recognizing this, leading medical organizations, whose members provide care for the vast majority of adolescents, have policies explicitly opposing mandatory parental notification.

MR. MITTMAN offered that one of the American Academy of Pediatrics (AAP) Committee on Adolescence policy statements [in part] reads:

Genuine concern for the best interests of minors argues strongly against mandatory parental consent and notification laws. Although the stated intent of mandatory ... laws is to enhance family communication and parental responsibility, there is no supporting evidence that the laws have these effects. ... There is evidence that such legislation ... increases the risk of medical and psychological harm to the adolescent. Judicial bypass provisions do not ameliorate the risk. ... The AAP holds that public policies can and should encourage voluntary involvement of parents ..., but specific laws mandating notification ... are counterproductive.

MR. MITTMAN explained that the American Academy of Family Physicians (AAFP), the American College of Obstetricians and Gynecologists (ACOG), the AMA, and the American Public Health Association (APHA), as well as the Society for Adolescent Medicine (SAM), all oppose laws like HB 35. Furthermore, while HB 35 can't force teenagers to talk to their parents, it may force them to seek illegal, unsafe abortions or even consider suicide. Another problem with the proposed legislation includes the judicial bypass provision, because it isn't a real solution:

a scared, pregnant teenager is not going to navigate a crowded court system and reveal intimate details about her life to an unfamiliar judge in an impersonal courtroom. There are also problems with the requirements outlined in the abuse exception; for example, the mandatory notarization and corroboration requirements are so difficult for a teenager to comply with that the exception is essentially meaningless.

MR. MITTMAN noted that a comprehensive review, released today, of published research on the effects of laws like HB 35 finds that such laws do little to reduce teenage abortion or pregnancy rates; there is no evidence that these laws affect parent-child communication, whereas there is some evidence that they instead cause harm to teenagers. The real answer to teenage pregnancy and reducing abortion, he opined, starts with caring families. As a state, Alaska should try to foster an atmosphere that ensures Alaska's daughters can always go to their parents, but the ACLU of Alaska must oppose any measure that would delay or stop Alaska's teenagers from seeking counseling and medical care. In conclusion, he said: "We ask you to protect the health and safety of our teenagers and vote 'Do not pass' on HB 35. Thank you."

MR. MITTMAN, in response to a question, explained that the ACLU of Alaska has a difficult mandate and one client - the U.S. Constitution and the Alaska State Constitution - and therefore finds that when it is confronted with difficult questions, it is not a question of one right versus another but rather often a question of competing rights. So when discussing the issue of "life," in addition to being a personal question for many people, the ACLU of Alaska's position does not necessarily pertain - at least with this bill - to the issues of abortion or choice, but instead pertains to the rights of the teenager whose life is at risk with the unwanted pregnancy she's facing. With difficult decisions, the ACLU of Alaska has to weigh the many conflicting rights of individuals, societal interests, and, in the end, it turns to the constitutions to determine what they mandate, and in the case of HB 35, the ACLU of Alaska believes that the constitutions mandate that teenagers must have the right to seek necessary medical care.

MR. MITTMAN, in response to another question, said that the ACLU of Alaska believes that HB 35 pertains to the issue of protecting the health and safety of teenagers; HB 35 addresses teenagers that may need medical care and/or medical counseling, and its focus is on what do teenagers - those whose family situation involves violence, abuse, incest - need and require

from the State of Alaska. In this case, the ACLU of Alaska asserts that what such teenagers don't need is a law that puts them at greater risk, but rather a law that will support their right to take care of their own health and safety.

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MR. MITTMAN, in response to a further question, acknowledged that one of the issues being raised pertains to when might a teenager need parental involvement for medical care, and offered that this again requires consideration of conflicting rights. The obstacles - the real world problems - in seeking medical care and the medical issues that must be confronted are very different for a teenager who is experiencing an unwanted pregnancy than they are for a teenager who has a headache. Instead of just putting up with a headache, the pregnant teenager is facing either an illegal, unsafe abortion or going through with an unwanted pregnancy, and so what the courts do, and what the constitutions mandate [they do], is balance the interests, balance the obstacles, and balance the risks. Clearly, the risks posed by an illegal abortion - such as the death of the pregnant teenager - are much greater than the risk posed by a headache causing temporary suffering.

MR. MITTMAN, in response to another question, pointed out that if an adolescent were in school, suffered from a case of appendicitis, and had to be rushed to the hospital on an emergency basis, all states have an emergency exception to parental consent/notification. If a hospital is faced with a teenager who has an emergency, life-threatening condition, of course the hospital will provide the necessary medical care. In life-threatening situations, where the courts have determined that the health and safety of a teenager is at risk, the role of the parent to be involved is bypassed; it's clear that what's medically necessary must be performed. In response to yet another question, he reiterated that what the courts do and what the ACLU of Alaska looks at is the reality of the situation, and, although abortion is an elective procedure, the courts also look at the medical reality. With appendicitis, if the person were not to be operated upon, he/she would face death, and published medical research illustrates that when a teenager is prevented from having an abortion, she may do something that threatens her own life. Again, the courts try to balance the reality of the situation.

CHAIR RAMRAS characterized that argument as subjective.

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MR. MITTMAN, in response to another question, explained that there are peer-reviewed, scientific-journal articles regarding medical facts alone which consider whether, with the passage of a parental consent/notification law, although there might be 1 or 2 teenagers who could possibly go to a parent, there could also be 30, 40, 50, or 100 teenagers who would seek an unsafe, illegal abortion rather than face their parent, and those reports are finding that yes, there is greater evidence of the latter. In response to comments, he opined that in passing legislation, the legislature has the responsibility of caring for society as a whole. In an ideal world, there would be individuals available to help every family, to help every teenager, but the reality is that the legislature must pass the best laws it can while considering the available evidence. So if there are only going to be 1 or 2 individuals who would be helped by a particular piece of legislation, but 30, or 40, or 100 individuals who would be harmed, then, on balance, the legislature ought to find that the harm of such a law would be greater than the benefit, and, in that case, should argue that it would constitute poor public policy and thus shouldn't be passed.

MR. MITTMAN indicated his belief that [HB 35] would negatively affect the most vulnerable teenagers: those who don't have support networks, who don't have caring families, who are living in situations involving violence and/or abuse. His point, he relayed, is that the medical studies have found that on balance, the harm outweighs any benefit. In response to a request, he reiterated that a comprehensive review of published research on the effects of laws like HB 35 finds that such laws do little to reduce teenage abortion or pregnancy rates. He said it is clear that the intent of HB 35 is to support teenagers and families, adding that the ACLU of Alaska agrees with that goal but is merely arguing that there is a better way to accomplish it.

CHAIR RAMRAS said he disagrees with Mr. Mittman's point of view.

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CAYLEIGH ALLEN relayed that she is against HB 35, offering her understanding that there are only a few cases in which minors don't already involve their parents in the decision to have an abortion, and surmising that HB 35 will only have an impact on those few cases that involve children who are living in difficult family situations with unsupportive parents who aren't

capable of making good judgments and thus shouldn't be given priority in such a decision. Requiring minors in such situations to go through the court system or prove abuse only through the third parties listed in the bill is a huge and unreasonable burden to place on pregnant minors, and is a violation of their privacy as well. If the goal is to reduce the number of abortions occurring in Alaska - a goal that she said she thinks everyone one can agree upon - then the better approach, instead of putting restrictions on minors who are already pregnant, would be to put time and resources into lowering the number of unwanted pregnancies and teenage pregnancies to begin with. Better to provide comprehensive sex education, education about contraceptives, and access to contraceptives. In conclusion, she offered her belief that the important issue to be considering is the health and safety of Alaska's teenagers, and opined that HB 35 doesn't support that concept.

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ALICE SMOKER said she opposes HB 35, which, she opined, has effectively already been declared unconstitutional, discriminates against young women by negating their right to freely choose their own reproductive health care, and provides as an alternative to parental consent a costly and logistically unrealistic process that is narrowly applicable and only further violates a young women's right to privacy. She offered her understanding that the arguments in favor of HB 35, as outlined in the dissenting opinion in Planned Parenthood of Alaska, include that it is in the State's interest to protect the right and obligation of parents to be involved in their children's lives, and to protect minors from their own immaturity, and cite as example that many rights are not conferred to minors, such as the right to vote, to get a tattoo, or to consent to get his/her teeth cleaned.

MS. SMOKER, noting that she would not be here testifying if HB 35 was merely about a minor's right to get her teeth cleaned without parental consent, characterized the bill as taking away a person's much more fundamental right than many of the other rights that are conferred upon adults by the government, that being the natural right of a woman to privately make her own reproductive choices, and as instead conferring that right upon her parents if the woman is a minor. This is wrong, Ms. Smoker opined; instead, it is the State's obligation to protect, rather than erode, the natural rights of its citizens. For example, while it is not the norm, neither is it unheard of in some

communities in the nation for parents to coerce their minor daughters into marrying at a young age, even against their will or to a person they do not desire. In such a situation, she remarked, "we feel obliged as a society to intervene in some way because we recognize that this coercion violates the natural right of young women to marry freely when and to whom they choose."

MS. SMOKER opined that reproductive choice is another such natural right, and that therefore it would be wrong for the State to allow a woman of any age to be coerced into having an abortion, and it would be wrong for the State to allow a woman of any age to be coerced into carrying a pregnancy to term even if it is her own parents who are doing the coercing. Passage of HB 35 won't just endorse the naturally-coercive parent-child relationship; it will take it one step further by legalizing a parent's veto power over a young woman's most fundamental right - [choosing her own] reproductive destiny. Just as it is not feasible for a parent to have veto power over his/her minor child's sex life, it is not natural for a parent to have veto power over his/her daughter's reproductive destiny. She said she feels it would be sad to pass the proposed law in a society that claims to value young women and tells them that they own their own bodies, but then in this most crucial and fundamental aspect tells them they don't. In the interest of protecting the natural rights of Alaska's minors and the health and wellbeing of young women and children, she said, she urges the committee not to pass HB 35.

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LISA EAGAN-LAGERQUIST, after noting that she is opposed to HB 35, relayed that she is a concerned parent and a former high school teacher who taught in the "CHOICE program" - a program for teenagers at risk of not graduating - for three years, and a former middle school teacher in Sacramento, California, and therefore has a fair bit of experience with teenagers. She opined that HB 35 would be very detrimental to those teenagers who cannot talk to their parents. All parents want what's best for their children, have dreams for them, and want to be able to talk with their teenagers. However, that's not reality. There are a lot of children who cannot talk to their parents - they are afraid of their parents or their parents are not available to them; for teenagers in such a situation, HB 35 is horrible, she opined.

MS. EAGAN-LAGERQUIST relayed that she hopes her son, when he is older - and her daughter, should she have one in the future - will be willing to talk to her. However, if her children decide that they can't talk to her, she added, she needs to trust that their judgment about their healthcare is good and that she has given them the right resources to make their own judgment. To protect teenagers and keep them safe and healthy, she opined, HB 35 must be blocked from passage. The bill targets teenagers who can't talk to their parents and puts them in jeopardy, but won't actually force teenagers to talk to their parents. She said she has seen teenagers who are afraid of their parents, and teenagers who rarely see their parents, and surmised that passing legislation mandating that teenagers speak to their parents about an unplanned pregnancy will not work, but will instead drive teenagers to make other choices such as committing suicide and seeking illegal and therefore unsafe abortions; teenagers will find ways to abort if they do not want to have a baby.

MS. EAGAN-LAGERQUIST said that no bill will force teenagers to communicate with their parents; good communication between parents and teenagers takes a lifetime to foster - years of building trust - and, therefore, by the time a child becomes a teenager, if such a relationship doesn't already exist, then HB 35 won't create one. In conclusion, she asked the committee to protect the health and safety of teenagers by not passing HB 35.

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SUZANNE FORSLING said she is very much in favor of HB 35. Referring to the argument that pregnant teenagers will miss out on educational opportunities, she offered her belief that options such as homeschooling will suffice, adding that she herself, as a single parent with five children, went on to college and maintained a grade point average (GPA) of 3.0 in physics. She then expressed her belief that the aforementioned [articles/reports/studies] were produced by people and entities that make money off of performing abortions, and thus she questions their perspective. She added, "This is a very, very important, very moral, and often very religious decision within a family." No one, she observed, is speaking on behalf of those who've gotten teenage girls pregnant, and questioned how men can be expected to protect their families when they are not given a say with regard to protecting their [unborn children].

MS. FORSLING said that allowing a minor to get an abortion without parental consent reduces the opportunity for parents to

convey their religious beliefs [about abortion]; for example, noting that she is Catholic, she offered her belief that if [one of her children] were to get an abortion, it would be really hard to reconcile that fact with her faith - it would be a problem for eternity. Abortion raises a lot of issues, and parents need to have an opportunity to talk to their children. All teenagers are going to object to having to tell their parents something they wish to keep private, but this shouldn't preclude parents from having the opportunity, legally, to participate with their children in important, moral, and physical decisions, such as those necessitated by an unwanted teenage pregnancy. Abortion is a medical procedure and involves a deeply moral issue. Abortion doesn't just concern the pregnant minor; in addition to the pregnant minor, there is the unborn baby to consider, the person who got the minor pregnant, the parents of both the minor and the person who got her pregnant, as well as others who would be related to the unborn baby. Families need to be supported and supportive in such situations.

MS. FORSLING, in response to questions, opined that parents should have the right, legally, to be notified when such a "severely moral and physical" medical procedure is about to take place; that ultimately, regardless of what the pregnant minor wishes, her parents should have the final say in what occurs, because their daughter is a minor; that the person who got the minor pregnant has rights as well; that his rights are greater than those of the pregnant minor's parents; and that paying child support is an important aspect of parental responsibility.

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AARON K. "KIT" DAHLSTROM testified that as the parent of two daughters and two sons, he wants to know exactly what his children are doing. Regardless that prior testimony has indicated that there are a lot of parents who are mean to their children or beat their children, he offered his belief that there are a lot of kids who are mean to their parents and lie, cheat, steal, and do everything they can to harm their parents even though their parents are very good people who are trying their best to help their children. Without passage of HB 35, the family unit is being eroded and destroyed, because the [court ruling] has taken away minors' responsibility for the consequences of their actions, he opined; pregnant minors have already shown that they don't have good judgment and have made mistakes and therefore need the help of responsible adults - their parents - to help them make a decision about their

pregnancies, a decision which should be made by responsible adults - again, their parents.

MR. DAHLSTROM surmised that if his son, back when he was 16, had vandalized someone's property and been caught, the judge would have made Mr. Dahlstrom responsible for paying restitution even though it was his son making the bad decision. Under the court ruling [in Planned Parenthood of Alaska], a minor could make a bad decision that results in her getting pregnant but would be alleviated of the consequences of her actions - actions that resulted from her bad judgment - and that's not the way to go, he opined. In conclusion, he said he is highly in favor of HB 35.

MR. DAHLSTROM, in response to questions, said he believes that when a minor becomes pregnant, her parents, regardless of what her wishes might be and regardless of her age - either now or at the time when her baby might be born - should have the final say regarding whether she gets an abortion, because they are legally, financially, and morally responsible for her [and her baby] until she reaches the age of majority.

[1:56:23 PM](#)

SIDNEY HEIDERSDORF, President, Alaskans For Life, Inc., said he would be speaking in support of HB 35, and that his organization believes that the bill constitutes good public policy. He shared his opinion that the support for and protection of abortion in society leads to many problems. Given the importance of parents in the upbringing of their children, it is disturbing to him, he relayed, to have people argue against forcing abortion facilities and school counselors to consult with parents regarding serious medical care for their children. He characterized this as a problem, and surmised that it is the result of various court actions such as the "[U.S.] Supreme Court raising abortion to the level of a constitutional right" and the Alaska Supreme Court referring to the Alaska State Constitution's privacy clause.

MR. HEIDERSDORF said he doesn't believe that either the U.S. Constitution or the Alaska State Constitution allows or permits the kinds of things that the courts have said are permitted - namely the killing of a baby in the womb. Responsible parents, he opined, must reject the concept that the care and concern of a parent for a child can be preempted by what he termed "so-called privacy rights," adding his belief that when the courts make decisions based on what he considers to be flawed

[premises], the courts will only be drawing faulty conclusions. Allowing children to have serious medical procedures performed without parental guidance runs counter to everything people know about the importance of the parent-child relationship in child upbringing. Parental consent is required in myriad situations involving children, yet abortion and contraception appear to be the only exceptions though they have lifelong ramifications - especially abortion, which constitutes a life and death decision with lifelong physical, mental, and emotional effects.

MR. HEIDERSDORF said his organization believes that instituting a parental consent requirement would constitute good public policy because it would protect children and support the concept of family, family wherein parents are responsible for minor children who are not mature enough make decisions about appropriate medical care. Parents, he opined, have the best interests of their children at heart, but for the extreme cases in which this is not true, the bill contains a judicial bypass provision. The legislature's role is to legislate for the common good of society, and that includes protecting the rights of good parents who want the best for their children. In conclusion, he encouraged the committee to consider HB 35 favorably.

MR. HEIDERSDORF, in response to questions, offered his belief that no one should have the right to obtain an abortion, and that parents may or may not have a financial obligation to support their minor child's offspring, just as they may or may not have a financial obligation to support their adult child's offspring. He expressed support for anyone's decision to have a child instead of an abortion.

2:03:00 PM

ELIZABETH ROLL, M.D., relayed that she would be speaking in opposition to HB 35, adding that she is a physician serving rural Alaska and the mother of two small children. She said that she works hard as both a parent and a doctor to foster good communication, both with her own children and with her patients and their families. She relayed that in her practice as a family physician in rural Alaska, she sees many teenagers with unwanted pregnancies; in most of these cases, she sees both the parents and the children working really well together, talking about the options and making a decision. However, she added, she also sees a small group of teenage patients who don't feel - either for safety reasons or for other reasons - that they can talk to or work with their parents, and HB 35 targets those

teenagers, placing significant barriers in front of them even though they don't feel they can talk with their parents about an abortion.

DR. ROLL surmised that [these barriers] would increase the risk that teenagers will delay seeking either medical care or abortion services until later on in their pregnancy, or could force teenagers into having a baby that they do not want. She said that as a physician, she has cared for many teenagers who have hidden their pregnancy, delaying their medical care - both prenatal care and any "options-counseling" available to them. This sort of hiding and subsequent delay can develop into many different types of tragedies as the pregnancy progresses, and makes everything more complicated for both the minor's parents and the minor. She said she wants Alaska's teenagers - throughout the state but especially in rural Alaska - to be healthy and safe.

DR. ROLL pointed out that providing good birth control options, counseling, et cetera, could help towards eliminating the problem of unwanted pregnancy to begin with. However, when an unwanted pregnancy does occur, and a teenager seeks an abortion, she needs to be able to have that option. House Bill 35 targets only a small group of teenagers - teenagers living in troubled families - and creates significant barriers to accessing medical care. She offered her belief that people need to rethink the concept of providing birth control education throughout the state, and that HB 35 should be opposed since it doesn't target the appropriate populations.

DR. ROLL, in response to questions, said that when her children become teenagers, she would try to encourage them to talk to her about difficult issues, but if they were still unwilling to do so, she would suggest to them that they speak with someone they were comfortable talking with such as one of their aunts; that if, in the end, one of her children chooses to have an abortion and have others help her, Dr. Roll said she would be fine with that decision; and that she agrees that speaking with someone is preferable to not speaking with anyone. To illustrate, she recounted:

I've seen situations where teens, again, have been concerned and scared to talk to their own families about pregnancies; they've hid their pregnancies [until] very late, and they were very unhappy being pregnant. They were talking about suicide, they were talking about ... trying to get an abortion by taking

a bunch of pills, they've ... talked about lots of different other options, which are just really concerning for their safety. It's better for a teen, if they're in a situation where they need help, to be able to turn to someone they trust, and, unfortunately, especially in rural Alaska, especially ... [in the Yukon-Kuskokwim delta area], there's a large amount of domestic violence, there's a large amount of sexual abuse [of a minor crimes, so] it may not be that the person that they feel they can go to is one of their parents - it may be a parent who's perpetrated sexual abuse. We need to not have this bill, as this bill will not help those teens at all.

REPRESENTATIVE GATTO referred to the word "unemancipated" as used in proposed AS 18.16.010(a)(3), and asked whether a minor could become emancipated on her own, or whether emancipation requires a court order.

REPRESENTATIVE GRUENBERG said yes [to the latter].

[2:09:30 PM](#)

CHAIR RAMRAS referred to the language in proposed AS 18.16.020(a)(4) that read in part, "the minor is the victim of physical abuse, sexual abuse, or a pattern of emotional abuse committed by one or both of the minor's parents ...", and opined that that language should alleviate the concerns expressed by Dr. Roll.

REPRESENTATIVE COGHILL offered his belief that in order to bypass the notice and consent provisions of the bill, a minor could simply either become emancipated by demonstrating self sufficiency to the court, or could demonstrate to the court that she has been neglected or abused.

REPRESENTATIVE GRUENBERG pointed out, however, that the language of proposed AS 18.16.035(b), reads:

In addition to emancipation by other means provided by law, denial of financial support by a parent, legal guardian, or custodian who has a legal duty of support for purposes of coercing a minor to have an abortion shall be sufficient evidence of emancipation status of the minor for purposes of AS 18.16.010 - 18.16.090.

[2:12:05 PM](#)

TAMMIE WILSON relayed that as a parent, she is totally in favor of HB 35. Whether to have an abortion constitutes a major decision, one that in some cases is being made by a child, and HB 35, she opined, addresses the right of a parent to be involved in what could potentially be one of the biggest life-changing decisions anyone, particularly a child, may ever make. Such a decision, in addition to its physical implications, has mental and psychological implications. How, as a parent, is she to help her child if she isn't even informed that an abortion has taken place? If there are medical complications, who's responsible, and what symptoms should she be looking for? Please do not punish good parents because of the actions of a few, she requested.

MS. WILSON indicated that her right as a parent has been taken away [by the courts] - teenagers, for a reason, shouldn't be allowed to make these kinds of decisions. She said she would hope that if her daughter had become pregnant while she was still a minor, that she would have come to her for help, because [her goal is to be] able to make decisions for her children. The issue of civil liberties or competing rights doesn't apply to children, she opined, because as a parent, she is responsible for them. She said she doesn't trust the judgment of teenagers because they don't have the capacity to make "these types of decisions." Regardless that some children are abused, [the government] shouldn't be taking away her right as a parent to help her children make good decisions, and that is exactly what will occur, she surmised, if HB 35 is not passed into law. In conclusion, she asked the committee to please pass HB 35 and allow parents to do the best they can for those whom they love the most.

[2:15:22 PM](#)

KASSI GRUNDER said she opposes HB 35 because she feels that every woman has the right to make her own decisions, especially the big ones in her life. Ms. Grunder said that although she agrees with Ms. Wilson's statement that good parents can help their teenagers make hard decisions, what is at issue here is protecting those children who don't have good parents whom they can go to. Those teenagers who already have good communication with their parents don't need this type of legislation, and hopefully their parents have established a rapport with them and are teaching them the real facts about sex at home; this will help ensure that if a teenager gets into trouble, she will be able to ask her parents for help and get good advice. However,

a lot of teenagers don't have such a relationship or such parents, and this is a really tough place for a teenager to be in.

MS. GRUNDER mentioned that at her last job as a victim advocate at Standing Together Against Rape (STAR), she had many teenage clients who could not go to their parents. Regardless that the Office of Children's Services (OCS) discovers some of the instances of sexual abuse of a minor crimes occurring in the home, there are still many victimized teenagers who have to make a choice between winding up in State custody - a hard path to take; moving out onto the streets; or staying in an abusive home. She mentioned that she's met a lot of teenagers who choose to stay in abusive homes because they are subject to less abuse there than they would be living out on the street. Those teenagers who are already making the decision to have sex, she opined, need to also be able to make their own decisions regarding their reproductive health and wellbeing if they then become pregnant. Mandating parental consent will delay a teenager obtaining important medical services - whether abortion services or prenatal services - and this delay - of days or even weeks - is especially critical for a teenager living in a rural area of the state.

MS. GRUNDER, in response to a question, surmised that [for reproductive purposes], a girl becomes a woman at first menstruation.

[2:20:19 PM](#)

GAIL McCANN relayed that as a parent, she supports HB 35, and questioned whether all those who are in opposition to the bill are actually parents. She opined that parents should be notified prior to an "abortion decision being made."

[Chair Ramras turned the gavel over to Vice Chair Dahlstrom.]

MS. McCANN expressed disfavor with [laws] that erode and hinder the functioning of the family unit, and opined that parents have the right to address each situation individually without legislative interference. If a parent's decision regarding abortion were in conflict with that of the pregnant minor, the minor would still be able to go through the courts and would therefore not be left without options. Parents should be part of the process, however a situation plays itself out, and that's what HB 35 is about. She offered her belief that for those teenagers who cannot - with good reason - speak to their

parents, the judicial bypass procedure outlined in the bill is sufficient. In conclusion, she said she wants to see HB 35 supported and passed.

MS. McCANN, in response to questions, said she has not had dealings with the court system but is familiar with the way it functions; that she would not look forward to having to deal with the court system under the circumstances outlined in the bill; and that she finds having to deal with [laws] superseding her function as a parent appalling.

[2:24:30 PM](#)

JEANETTE LACEY DUNN - after noting that she will be graduating with a Master of Social Work (MSW) degree in May, is currently working as a case manager at Bartlett Regional Hospital, and is a mother - relayed that earlier today she attended an "adoption training," during which one of the exercises involved imagining that she was 18 years of age and unexpectedly pregnant, what she would do, and who she would want to tell. The first person that came to her mind to tell, she relayed, was her mother, adding that she is very fortunate to have that kind of relationship with her mother. Another exercise involved imagining what she would do and what she would want if her own child became pregnant unintentionally. Her hope, she relayed, was that her child would be able to come to her and explain what's happened, but she recognizes that ultimately her child would need to be able to make that choice.

MS. LACEY DUNN said that although she is lucky enough to have a relationship with her parents that allows her to confide in them, there are a great many teenagers who are not lucky in that regard, either because of safety concerns or because of a lack of parental involvement, and she believes that HB 35 really targets those teenagers with limited resources, limited support, and more challenges. House Bill 35, she opined, places an unfair additional burden on such teenagers. With regard to the comment that abortion involves a moral issue requiring parental involvement, she offered her belief that parents should be instilling their morals while their children are growing up rather than waiting until their children become pregnant; if there is already a good parent-child relationship, then those children will be able to go to their parents.

MS. LACEY DUNN, with regard to the comment that teenagers should have to bear the consequences of their actions, opined that pregnancy and/or any resulting births shouldn't be seen as

"consequences." Teenagers should be able to make a choice, and the various circumstances in which people find themselves should be respected. In conclusion, she said she is in opposition to HB 35.

REPRESENTATIVE HOLMES noted that her mother died when she was a teenager and that although she is extremely close to her father, she would not have wanted to speak to him about sex or other female gynecological issues, and would have instead preferred to speak with the other women in her life. She surmised that a pregnant teenager is more likely to speak with her mother if she has one or has one that she can speak to, but not all teenagers are so lucky.

MS. LACEY DUNN said that she has seen too many young girls who don't have parents who are there for them, either during or after their pregnancy, and reiterated her belief that HB 35 will place an unfair burden on those teenagers. In response to questions, she agreed to research the code of ethics of social workers to see if it addresses any of the issues raised by the bill, and acknowledged that even less-than-ideal parents have rights.

[2:31:35 PM](#)

PATRICIA FINK relayed that her daughter had an abortion while she was a college student, but she and her husband were not notified and thus were not given the opportunity to participate in what she characterized as perhaps the most difficult decision of their then-young daughter's life; even though she and her husband have a good relationship with their daughter, and wouldn't have persuaded her to choose one path over another, because they were not notified, they weren't there, as parents, to provide comfort and assistance during that time. Ms. Fink offered her belief that her daughter's decision back then has resulted in emotional scars that are still evident. She noted that when she was a teacher, she wasn't even allowed to provide aspirin to a student without parental consent, but that now some states allow an abortion - which she characterized as the most egregious procedure, and potentially risky - to be performed [on a minor] without notifying her family.

MS. FINK, with regard to the argument that the parent may be the abuser, questioned why that fact shouldn't be brought out into the open, with the involvement of the parents. She shared her belief that the current situation has diminished her right as a parent as well as the rights of other parents, people who have

cared for and supported the pregnant minor from birth. At least one parent should be notified, she opined, so that help with this difficult decision can be provided to the pregnant minor, particularly given that it is the parents who end up paying what she called the emotional bill.

[Vice Chair Dahlstrom returned the gavel to Chair Ramras.]

MS. FINK, in response to comments, offered her belief that if a situation involving child abuse is not brought out into the open, the abuse will simply continue.

[2:37:52 PM](#)

MARIA RENSEL, relaying that she supports HB 35, expressed her hope that members will all vote "Yes" on the bill. She said she agrees with Ms. McCann's comments, particularly that of being appalled at having to defend the basic rights of parents. She shared her belief that parents of minor children should have the right to make the decision with regard to all medical procedures involving their children, and doesn't believe that a child's right to privacy trumps parental rights. She indicated that she also agrees with Mr. Heidersdorf's comments, and offered her belief that the [U.S.] Constitution guarantees the right to life, and thus "we" ought to err on the side of the right to life - the right of the unborn child to be born. She also offered her belief that those who are opposed to the bill simply want to encourage more abortions by making it simpler to get one - without giving the child in the womb a chance at that basic, guaranteed right, the right to life - and are using emotional arguments to justify their position, such as that those who want an abortion but feel they can't get one will resort to self-induced abortions.

MS. RENSEL opined that those opposed to the bill are also attempting to make people believe that the legislature [shouldn't] pass laws protecting parents' right to counsel their minor children. The very definition of a minor, she remarked, is a person who hasn't achieved the age of majority, and thus it is absolutely a parent's right to influence his/her child with regard to morals and religious beliefs. In conclusion, she surmised that there are a lot of constitutional arguments in favor of passing HB 35, and reiterated her hope that the members will vote "Yes" on it.

[2:41:44 PM](#)

MIKE PRAX offered his belief that the concerns expressed by prior speakers regarding a lack of communication ought to be given serious consideration, particularly since the [proposed] law would be applied in situations wherein parents and children are not communicating and/or where there is some trouble, surmising that in situations where there is good communication, the proposed law won't come into play. However, what must also be recognized is that a pregnant minor needs help - as do her parents - and [HB 35], he surmised, will address such situations, and will probably force some decisions and force some people to communicate, which he characterized as a good thing regardless that it might come at a very delicate time. He offered his belief that HB 35 will also address situations in which a pregnant minor wants an abortion and her parents don't agree, by allowing the minor to go before the court and prove that she is capable of making such a decision and doesn't need protection from her own immaturity, [one of] the objectives of the [proposed] law. In conclusion, he indicated that he supports the [HB 35], and characterized its passage as very necessary.

[2:45:04 PM](#)

KAREN LEWIS, Executive Director, Alaska Right to Life, after mentioning that there are almost 50,000 households in her organization's database, offered her understanding that approximately 1.2 million abortions are performed every year in the U.S., with approximately 20 percent of those being performed on teenagers. She also offered her understanding that the Guttmacher Institute estimates that approximately 40 percent of the abortions performed on teenagers take place without parental involvement; as a result, the parents of those teenagers have no advanced warning of the potential physical and/or emotional complications associated with abortion, and thus can unwittingly exacerbate the problems experienced by teenagers who have an abortion, such as depression, anger, and substance abuse. The cost of concealing an abortion can be dreadfully high, she remarked; for example, a 16-year-old from Maryland and a 13-year-old from New York both died from complications arising from abortions performed without the knowledge of their parents, and a 14-year-old from Missouri with a history of psychiatric problems committed suicide after having an abortion without her mother's knowledge/consent.

MS. LEWIS offered her belief that abortion advocates continue to fight laws that could help prevent such tragedies. Teenagers, she remarked, are more likely to report higher levels of feeling

misinformed during pre-abortion counseling, less satisfaction with abortion services, and greater post-abortion stress; such teenagers consider the abortion procedure itself to be stressful and associated with feelings of guilt, depression, and a sense of isolation. She asserted that studies illustrate that abortions performed on teenagers have been linked to problems such as substance abuse and suicide, that teenagers who have abortions are two to four more times likely to commit suicide, and that half of the teenagers who get an abortion suffer a worsening of psychosocial functioning within seven months after the abortion. In addition, abortions appeared to have the greatest immediate impact on those teenagers under the age of 17 and on those with existing psychosocial problems; symptoms include self-reproach, depression, social regression, withdrawal, obsession with the need to become pregnant again, and hasty marriages. Teenagers are more likely to develop psychological problems and are generally in need of more counseling and guidance with regard to an abortion than are adult women.

MS. LEWIS offered her understanding that teenagers who get abortions are more likely than older women to be admitted to mental health hospitals, and are twice as likely to experience cervical lacerations. A pregnant teenager, she remarked, is more vulnerable than she will most likely ever be again, and therefore needs her parents all the more. In conclusion, she said:

Parents overwhelmingly give loving guidance and solid advice to their children, especially in crisis situations, and for the courts and Planned Parenthood and others involved in the abortion industry to believe that an underage child can bear the full burden of an abortion decision and the weight of guilt from that decision along with lifelong damages incurred from the abortion is simply outrageous and completely irresponsible.

[2:50:21 PM](#)

KEN ERBEY opined that the only parents who should be given the right to give consent before their teenage daughters can get an abortion are the parents who were involved in their teenage daughters' lives enough to have given consent for their teenage daughters to get pregnant in the first place. Supporters of HB 35 claim that the bill addresses parents' rights, and that parents should have the right to impose their values and morals

upon their children. However, HB 35 is not a parents' rights bill, but is instead a, "Let's close the barn door after the horse has already escaped" bill; the time for parents to impose their values and morals upon their teenage daughters is before their daughters get pregnant, not afterwards, he opined.

MR. ERBEY offered his understanding that the Alaska Supreme Court has already determined that the existing parental consent statute is unconstitutional in that it burdened a minor girl's fundamental right to reproductive freedom. If HB 35 were truly about parents' rights, then why does it attempt to deny parental rights to the pregnant teenager? Why does it take away her fundamental right to choose whether or not she wants to become a parent in the first place? House Bill 35 has everything to do with abortion, he surmised, and allows big government to intrude and deny the rights and freedoms of its citizens, specifically the fundamental right of reproductive freedom. It's countries like China, he opined, that deny its citizens the fundamental right of reproductive freedom; "if you have one child in China, you're not allowed to have another - the government intrudes and takes away your rights."

MR. ERBEY questioned why the parents of a pregnant minor need the government's involvement if they are only going to give consent for their daughter to get an abortion anyway. Why do they need HB 35? He added:

I can see why "Joe Sixpack" - who can't tell you where his daughter is half the time or even the names of her best friends, let alone the fact that she's gotten herself pregnant - would need House Bill 35. It lets the government do his parenting for him. Joe Sixpack rarely communicates with his daughter, especially about responsible sexual behavior. After all, if she doesn't know about responsible sexual behavior, he hopes, [then] ... she'll be abstinent. As we've all seen recently, hoping that his daughter will be abstinent can only be described as "not realistic at all."

MR. ERBEY opined that if the supporters of HB 35 are truly concerned about parenting and about government-mandated forced family communication, then, instead of forcing teenage daughters to have a conversation that has been described as harder than labor and nauseating, the supporters of the bill should instead make efforts to "prevent the horse from escaping in the first place" by legislating prevention of teenage pregnancy to begin

with. Instead of working on unrealistic policies, he suggested, work on proven prevention strategies such as comprehensive sex education. "Let's communicate and teach our kids the consequences of engaging in sexual behavior, before they go out and find out on their own, before a House Bill 35 is even necessary," he added. In conclusion, he said:

If we're truly concerned about parents' rights and pregnant teenage daughters, if we're truly concerned about family communication, instead of passing a parents' [rights] bill - House Bill 35 - let's instead pass a parents' responsibility law - a true family values law - that states if a teenage daughter gets pregnant without her parents' consent, then the parents should be held responsible, liable, and negligent.

MR. ERBEY, in response to a question, said he believes that if HB 35 is passed, the government will force pregnant teenagers to communicate with their parents.

[2:54:47 PM](#)

DOUG McKINNIS, after noting that he is the father of five children, asked the committee to vote "Yes" on HB 35. Noting that parental consent is even required for hunter's education classes, he remarked that should HB 35 fail, the State would allow a teenager to kill her unborn child without parental consent, but won't allow his minor children to learn how to kill a rabbit without parental consent. He characterized this as absurd, adding that he just doesn't see how any State lawmaker could defend such a position. House Bill 35 addresses the significant matter of teenage pregnancy and the major surgery of abortion, and at issue is the question of whether parents should be informed about their child's health and wellbeing when she is facing a pregnancy and possibly major surgery.

MR. McKINNIS pointed out that pregnant teenagers face loneliness, despair, and helplessness, and - in their young and understandable immaturity - are forced to deal with frightful imaginings of an extremely uncertain future. It is therefore ludicrous, he opined, to be debating whether the parents of such a teenager should be informed of her situation. Why would any reasonable person have to consider, for even more than one second, whether parental consent for a major surgical procedure - in this case, abortion - is advisable? He offered his belief that the merits of parental consent are now being debated simply

because supporters of abortion do not want to face the obstacle of parental consent because it - and parents overall - interfere with their agenda.

MR. McKINNIS opined that HB 35 addresses the majority of parents - not a minority of teenagers. "Will we as a state encourage the structure of our society to be based on the family, or will we, like Plato, attempt to arrange society's structure to be based on rule and decision-making by the trained professional?" he queried. In conclusion, he suggested that the State emphasize that parents have the right to make decisions on their children's behalf, and again asked the committee to vote "Yes" on HB 35.

[2:59:32 PM](#)

SHANA CARDOZA asked the committee to vote "Yes" on HB 35, adding that she believes that parents have a right to their children's medical history and all that their children are doing in terms of receiving medical care.

[3:00:31 PM](#)

CHARLES ROHRBACHER, Deacon, Roman Catholic Diocese of Juneau, relayed that the Catholic Church is pro-life - life from the moment of conception until the moment of death - and supports HB 35, which attempts to balance the rights of parents with the [Alaska State] Constitution. He noted that the bill contains provisions addressing emergency situations and situations in which it would be better for the court to act on behalf of the minor in place of her parents, but ultimately allows "parents to be parents" and be made aware of situations in which their "often immature" children find themselves. One of the bill's provisions that really struck him, he relayed, is [proposed AS 18.16.035, which] prohibits coercing a minor into having an abortion, adding that he's counseled those who've been coerced into having an abortion; that provision "speaks well of us" as a state and as a society.

MR. ROHRBACHER asked the committee to support passing HB 35 from committee. He posited that everyone shares the hope that the number of abortions in the state and in society can be reduced, and characterized the bill as a starting point for everyone to be able to work together to further that goal without undermining the relationship between parents and their minor children and the authority that parents have with regard to this "very important and vital" issue.

REPRESENTATIVE HOLMES surmised that an unplanned teenage pregnancy can create a difficult situation for all involved. She asked Mr. Rohrbacher whether he has any concerns about those teenagers who can't or shouldn't speak to their parents about an unplanned pregnancy.

MR. ROHRBACHER offered his understanding that the judicial bypass provisions are meant to provide an option for such teenagers, those who would be threatened with violence or other forms of abuse if they were to tell their parents. In response to another question, he said that abortion is a serious matter, a matter of life and death for the unborn child, so regardless of how frightening or daunting it might be for the pregnant minor to have to go before the court, it's important to always err on the side of life rather than against it. In response to a further question, he said that his response if a pregnant teenager were to come to him for advice but said she couldn't go to her parents would be to discuss the options of adoption or keeping the baby, and he would offer to go with her to discuss the issue with her parents.

[3:08:57 PM](#)

ANNIE MEURLOTT read a letter signed by herself and some of her neighbors [original punctuation, though with some formatting changes, provided]:

We the undersigned Alaskan registered voters from Fairbanks encourage the passage of HB 35 to require parental consent for minors seeking abortions. We realize that children are often pressured into making decisions on life changing events without proper consideration of the consequences. Parental consent will help minors and parents to properly evaluate the long term ramifications of abortion.

Parental consent can recognize the State's compelling interest in "protecting minors from their own immaturity and aiding parents in fulfilling their parental responsibilities." In addition to parental consent, HB 35 provides for a judicial bypass for sexual abuse cases.

Parents are a child's first and most important resource for assistance in decision-making. For that reason, the state's interest in protecting children

from the consequences of their own immaturity, and in so doing protecting the health of its children, and its interest in supporting parents' right and duty to guide the upbringing of their children is particularly compelling.

The Alaska Parental Consent Act attempts to ensure that pregnant minors who are sufficiently mature to make the decision to obtain an abortion on their own are allowed to do so while those who are not sufficiently mature either obtain a parent's consent or, in the case of parental abuse, a judicial determination that the procedure is in their best interest.

[3:10:59 PM](#)

AMY BOLLENBACH, after relaying that she taught psychology classes for many years, noted that she's heard a lot of stories from her female students about parental abuse - sexual and otherwise - and is therefore not excited about a bill that requires parental consent or parental notification. She said she agrees with most of those testifying against HB 35, especially with Dr. Roll, particularly given that a recent article in the Anchorage Daily News quoted a memorandum from an official of the Catholic Church written [long ago] that stated it would be useful to send a pedophile priest to an Eskimo area of Alaska because "they don't talk."

MS. BOLLENBACH expressed disbelief that the most abused teenagers in Alaska would be talking to their parents about the very abuse their parents have perpetrated. She suggested to members that they imagine themselves as a shy, 13-year-old girl living in a small village outside of Bethel, for example, whose stepfather has been raping her and whose aunt is the health aide. "Who are you going to talk to?" she queried; "If you talk to your friends, [are any of them] going to know anything about judicial bypass procedure?" Ms. Bollenbach surmised that none of them would.

MS. BOLLENBACH relayed that in the one village outside of Bethel that she has visited, there are only two telephones - one at the school and one at the grocery store. "Are you going to go to one of those two places to try to phone ... a judge?" she asked, and surmised that the answer would be "no." Furthermore, cellular phones don't work everywhere in Alaska. She said she is unsure, therefore, how any judicial review of the situation

is going to take place. Adoption of a parental consent requirement will be putting a barrier between a teenager living in such a situation and the healthcare that she needs, opined Ms. Bollenbach, and characterized that as wrong psychologically, medically, and constitutionally.

[3:13:59 PM](#)

CHRIS FONTAINE, after relaying that she is associated with the Kachemak Bay Family Planning Clinic (KBFPC) - a private, nonprofit, community-based, reproductive health clinic - said she is in opposition to HB 35 in part because she's had experience working with those that this bill would most impact: adolescent girls. When the KBFPC receives calls from adolescent girls who have questions about reproductive health, birth control, and abortion, she relayed, the KBFPC is often able to resolve those calls simply by encouraging parental involvement, and is in fact mandated by law to do so in order to screen for things like domestic violence (DV) and sexual abuse of a minor crimes. Often it is the parents making the appointments and/or accompanying their daughter to her appointments.

MS. FONTAINE explained that she's also received a few calls from minors who say they've taken pills or herbs or have allowed someone to physically abuse them in order to induce an abortion. Such girls - fortunately, very few - won't be able to access the judicial bypass procedure outlined in the bill, because going through the judicial system is a daunting task, especially for someone experiencing domestic violence or sexual abuse. Such girls, again, will be turning to those who are not healthcare providers, and so may be getting information that could be harmful to their health, or will seek an illegal abortion. In conclusion, she said, "We would like to partner together, on both sides of this issue, to decrease the number of [abortions overall], but we should not do so by increasing the number of illegal abortions or unwanted children."

[3:18:38 PM](#)

HANNAH FOREMAN, after relaying that she is 15 years old, asked the committee to support HB 35. She offered her interpretation of prior testimony to mean that some people believe that parents give up their rights as parents once their children start making their own choices with regard to reproductive behavior. Alaska law doesn't agree with such a belief, she remarked. For example, language in [Title 47] says in part that parents have the "right to direct the child's medical care". This is just

one, among several, of the rights and responsibilities of parents that the State of Alaska recognizes; parents have a very unique authority over their children.

MS. FOREMAN mentioned that on the Department of Health and Social Services' (DHSS) web site, language on page 2 of a document titled, "PARENTAL RIGHTS and RESPONSIBILITIES" says that a parent has the legal right to make important decisions about their child's life such as where the child shall live, what the child can do from day to day, what school the child will attend, when the child needs medical care, and what religion, if any, the child will practice; and that these rights extend until the child reaches the age of 18. Noting that parental consent is currently required for many activities a minor might wish to engage in, she asked that abortions for minors not be made the exception to parental authority.

3:21:06 PM

JESSICA WELLER, Victim Advocate, Standing Together Against Rape (STAR), relayed that she opposes HB 35. Mentioning that Ms. Grunder has already touched on many of her concerns, Ms. Weller referred to the language of proposed AS 18.16.020(a)(4) that requires a minor seeking judicial bypass on the grounds of sexual abuse to produce a notarized statement signed by herself and a witness to the abuse who is a sibling 21 years of age or older, a grandparent, or a stepparent. Pointing out that she's worked with children who are victims of rape, she explained that it is very unlikely that such children will be able to produce such a witness in order to obtain judicial bypass.

3:22:19 PM

MEGH BARNETT explained that one of the premises of the social workers' code of ethics is that of self determination: all clients, regardless of age, have the right to determine what's best for them, since they are the experts with regard to their own lives. She opined that the same applies to pregnant minors regardless that they might not have reached full maturity - they are still the experts with regard to their own lives and therefore need to have the right to make the best decisions for themselves at that time. She offered her belief that HB 35 is largely influenced by religion, and that maintaining the separation between church and State is extremely important and should be kept in mind when the legislature considers bills that are based upon religion.

[3:24:16 PM](#)

NANCY BISHOP, after noting that she has recently been accepted to medical school and intends to return to Alaska and practice medicine, said that as a future physician, she wants to be able to provide her patients with the best possible care. She said that although she would be encouraging a pregnant teenager to consult her parents in the decision-making process regarding an unwanted pregnancy, ultimately her responsibility as a physician will be to her patient; however, a government mandate requiring parental consent would prohibit her and all other physicians with their patients' best interests at heart from providing the best possible care. Despite the best intentions, laws in other states requiring parental consent for abortion have increased the number of later-term abortions. She said she worries that when access to healthcare is intimidating or prohibited, teens will resort to any means available to have an abortion - such as home remedies and "back alley" abortions - or will delay seeking prenatal care. Alaskans already face significant obstacles in accessing healthcare, particularly in rural communities, so why would [the legislature] wish to place another barrier in front of teenagers from rural Alaska who are dealing with unplanned and unwanted pregnancies?

MS. BISHOP, in conclusion, said:

It makes me very disheartened and uncomfortable as a future healthcare provider in Alaska to know that I may not be able to provide my patients medical care when they need it. It ... makes me question ... [whether] I want to be a physician in Alaska, if we are not keeping our daughters' health and safety in mind. Clearly, I oppose HB 35. Thank you.

[3:26:15 PM](#)

JACKIE CASON shared that she is a survivor of child sexual abuse, adding that it's a difficult thing to talk about. She said:

It's interesting to hear characterizations of families and the kinds of families that this sort of thing happens in. Not all these families are people like the "Pilgrims" in Alaska. I come from a fairly ordinary family with loving parents [and siblings], and you might ask, "How does this kind of thing happen?" Well, I had an older sister who had a teen

pregnancy [and] who was trying to make ends meet; she was working the swing shift, her husband was working the day shift, and I as a teen was filling in the gaps between the day and swing shift and babysitting, preparing dinner - things like that - and I ended up being the victim of his [sexual] abuse for a number of years.

[The] fortunate thing was, I guess, [is] he'd had a vasectomy and so I didn't end up pregnant, but it was very difficult for me to tell anyone about this abuse. In fact, in 35 years, I've never spoken about this publicly. And ... I can only say one word as the reason I probably never spoke out: is shame - sheer and utter shame. It's very difficult to talk about this thing; I can't imagine trying to go through a judicial bypass procedure to get permission to ... [get an abortion] I think the possible harm that HB 35 could do is to delay action from a young person in this situation and ... [delay her from] being able to seek assistance and help from people who would care.

Sure, my parents ... would've probably accepted me, [though] at the time I didn't think so. But the fact of the matter is, I can't imagine having borne a child from this episode in my life and [then] face that child each day as a reminder, because I sit before you today healed but not completely whole - these wounds kind of stay with you. Fortunately, this episode has not defined my life. My life is characterized by many health relationships today, but you have to understand what sexual predators are like: ... they seek out the vulnerable, the shy, those who have a very hard time speaking up on their own behalf. And my father was a passionate man; I look back and wonder, many times, if he'd ever known about this, what he might have done - he was a hunter, he had ready access to guns. It's ... not [a] far stretch of the imagination to think that he might have killed the predator in our family, and I would have had to then face not only a pregnancy but possibly watching my father spend the rest of his life in prison.

MS. CASON continued:

These are difficult ... conversations to have. I grew up in a family that though they were loving, were not comfortable with this topic of sexuality. I've tried to remedy that in my own family life, and I talk very openly about this. I ask the committee to please consider that if you would like to intervene in family conversations about human sexuality, that you do it very early - please insist that families speak to their children from a very young age [and] teach them about their bodies, teach them that there is no shame in this - and that if you're going to intervene, intervene early with comprehensive sexuality education, but don't wait until it's too late ... [and] do further harm to these kinds of victims. Thank you for listening.

3:30:08 PM

AMY LEE, after noting that she is an educator in Anchorage, pointed out that a similar bill was passed but ruled unconstitutional at the federal level, and questioned why it should be any different now with regard to HB 35, which would take away a teenager's rights to reproductive freedom. Even though a teenager may be a minor, it is still her body and she has the right to choose [whether or not to give birth]. In an ideal world, all teenagers would openly discuss these issues with their parent/guardians; however, there are situations wherein this is impossible. If a pregnant teenager is determined to have an abortion but can't obtain parental consent, she will find an alternative method, which will most likely result in an unsafe or deadly procedure performed by an untrained individual, increasing the likelihood of complications that could result in the teenager's death. In conclusion, she said, "We all want all children to grow up and live in a safe world and have a life that is protected; however, taking [away] their right to make their own decisions will limit the chances of safe options, and creating a safe and supportive environment should be the first priority, so I'm clearly against ... [HB 35]."

3:31:43 PM

KRYSTAL MEULENERS, after relaying that she is an educator in Anchorage, said she would be testifying against HB 35. The majority of teenagers in Alaska are talking with their parents about their reproductive health and have their support when they need it. Such teenagers are fortunate to have "these adult

voices" to guide them through tough times, she remarked, but pointed out that there are a number of teenagers who are not as blessed. House Bill 35 would mainly affect Alaskan teenagers who do not have the parental support they need, and may cause these teenagers to delay seeking care or force them into making unsafe choices. States that have enacted similar parental consent have seen an increase in late-term abortions.

MS. MEULENERS offered that in her experience mentoring at-risk youth, she has felt comfortable referring teenagers to reproductive health clinics, knowing that they will receive thoughtful advice and care from professionals. It's extremely important for teenagers in compromised situations to feel safe and have access to adults and professionals whom they can trust. She offered her understanding that a similar bill was found to be unconstitutional in 2007 because of the limitations it placed on young women to care for their own best interests. It's within the rights of teenagers, she opined, for them to have reproductive choice and access to reproductive healthcare.

[3:33:30 PM](#)

DIANNE HOLMES characterized HB 35 as really being about consent by those who would be grandparents, and pointed out that once a teenager gives birth, regardless of how old she is, then she - and not the grandparents - is totally in control of and totally responsible for the baby. If a teenager seeking judicial bypass for an abortion must go before a judge and prove that she ought to be allowed to have an abortion, then why doesn't a teenager have to similarly prove to a judge that she is responsible enough to care for a baby? Referring to the argument offered by some that a pregnant teenager isn't mature enough to make reproductive decisions, Ms. Holmes countered that once that same teenager gives birth, she is then assumed to be mature enough to make appropriate decisions regarding her baby.

MS. HOLMES also pointed out that teenage pregnancies are often high-risk pregnancies because, physiologically, teenagers are still growing. She characterized the argument made by some that getting an abortion will have detrimental physical and psychological ramifications as an overstatement, surmising that any such psychological ramifications are perhaps more the result of how others treat the teenager who's chosen to have an abortion, and pointing out that carrying a pregnancy to term is riskier, health-wise, than getting an abortion. She observed that it's not possible to legislate good parenting - which, in any case, should have occurred before the teenager got pregnant

- nor is it possible to legislate morality. Furthermore, studies illustrates that a large population of the young adults currently in prison were borne of young mothers.

MS. HOLMES, in conclusion, said: "If you really want to reduce abortions - and, let's be truthful here, this is what it's all about - then please fund proper education on reproduction [because teaching] abstinence only doesn't work. How many times do we have to have that proven to us?"

[3:37:34 PM](#)

BRITTANY GOODNIGHT, Public Affairs Manager, Planned Parenthood of the Great Northwest (PPGNW), explained that it is with her family and her community in mind that she is coming forward to speak against HB 35. She said that her parents did a fabulous job raising her; they gave her love and support, and made sure she grew up in a trusting and respectful household where communication was always possible, and, as a result, she included them in all of her major life decisions such as finishing high school and applying for college. She added that she would have also included them in her decision-making process had she become pregnant, not because the state would have mandated her to do so, but because her parents fostered a sense of trust, respect, and communication throughout her life. She relayed that her parents are now outraged that the State of Alaska is attempting to mandate good family communication and would thereby be stepping into a private family situation. She shared her hope that should one day her daughter not come to her for whatever reason, that her daughter would still have access to quality, safe medical care and be kept safe and healthy during her decision-making process.

MS. GOODNIGHT, mentioning that while growing up she had numerous people upon whom she could rely, opined that it was having just such a network of caring adults that helped her become the confident person she is today. Many Alaskan parents have fostered healthy relationships and an atmosphere of communication with their children. However, HB 35 appears to be targeting a small number of teenagers who don't have healthy and safe relationships within their families, and this is worrisome to her, she relayed, because it is impractical to expect that such teenagers will be able to take their case before a judge. She predicted that only the most confident and savvy of teenagers are likely to be capable of using the judicial bypass procedure outlined in the bill; only those teenagers that have had positive experiences with law enforcement and the judicial

system and therefore wouldn't be intimidated to go before a judge will be able to do so, particularly given how difficult it is even for adults to go before a stranger and speak publicly about personal issues.

MS. GOODNIGHT referred to the timeline that would be required by the judicial bypass procedure outlined in the bill, and surmised that a pregnant teenager would have to go through a nine-step process. A pregnant teenager would first have to obtain a pregnancy test and documentation from a clinic; in an urban setting, that could take only two days, but in a rural setting, it could take three or more days. The pregnant teenager must then "write a statement of circumstances" and retain a lawyer, and this could take another two days. Once the court receives that statement, the court has three business days to set up a hearing. If the ability to access abortion services is not granted during that hearing, then the pregnant teenager must consult with her lawyer - taking up another day - and write and submit an appeal to the Alaska Supreme Court- taking up another two days. After receipt of that appeal, the court then has three business days to file a brief, and another five business days to hear oral arguments and make a decision.

MS. GOODNIGHT pointed out that this process would take 18 days not including weekends or holidays, and if one assumes that a pregnant teenagers is 10 weeks along by the time she decides not to give birth, the judicial bypass procedure outlined in the bill isn't timely, regardless that proponents of the bill feel that that procedure is sufficient for those teenagers living in tough situations who cannot obtain parental consent. Under that procedure, such a teenager would effectively be prevented from accessing a first-trimester abortion in Alaska. In conclusion, she said, "We have to trust a young woman who chooses to terminate her pregnancy, just as we also have to trust a young woman who chooses to raise a child."

[3:43:04 PM](#)

GERAN TARR, Director, Alliance for Reproductive Justice (ARJ), offered her understanding that although the sponsor of HB 35 says that the bill is really about families, every supporter of the bill says it is about abortion. She opined, therefore, that the real intent of the bill ought to be clarified. She then pointed out that a lot of the terms that are being used are not medically accurate, and opined that there is great danger in using terms that people come up with on their own, adding that she teaches anatomy and physiology at the university and

stresses to her students the importance of using medically accurate terminology.

[Chair Ramras turned the gavel over to Vice Chair Dahlstrom.]

MS. TARR noted that an earlier testifier referred to various statistics but neglected to cite the source of those statistics, and warned of the danger of using statistics that are not "from a peer-reviewed journal" because they are then suspect at best. She then disclosed that the ARJ would financially benefit from the passage of HB 35, but relayed that her comments would be in opposition to bill. She offered her understanding that the [Planned Parenthood of Alaska case] resulted in about \$1 million in legal fees being paid out by the State to various organizations, adding that the ARJ would have an interest in participating in any future lawsuit that resulted from passage of HB 35 because the ARJ would stand to benefit financially from doing so.

MS. TARR, noting that many have pointed out that other medical procedures require parental consent, surmised that that consent is required for purposes of establishing who will pay for the procedure. She mentioned, too, that there are women and teenagers who are choosing to have an abortion because they cannot afford [to give birth], and opined that no woman or girl in Alaska should feel forced into having an abortion simply because it's her only economic option. She expressed dismay that some committee members and those in support of the bill are discounting the stories of abuse and the fear of abuse, and characterized that discounting as inappropriate - a lack of recognition of the pain and suffering endured by the girls being abused.

MS. TARR asked: "Has it been so long that we've truly forgotten Papa Pilgrim?" and "Have we really forgotten the pain and suffering endured by those teenage girls while they lived in that house of terror?" She responded, "I will not forget, and I will not stand by while others forget." This conversation, she opined, should have started out by discussing what is best for pregnant teenagers, and if that had been the starting place, she surmised, the bill would be far different than it is now, because it is those teenagers who are experiencing a time of crises who truly need everyone's support. On the issue of constitutionality and the State's compelling interest, she proffered that in this case, the State has a compelling interest in ending the cycle of abuse once and for all - for far too long has Alaska topped the charts with regard to the rates of sexual

abuse of children, sexual assault, child abuse, and domestic violence. For [those in authority] to know that these things are occurring, without doing everything in their power to stop it, is distressing; there can be no greater purpose than to protect the children of the state.

MS. TARR predicted that the committee wouldn't be hearing any testimony from those parents who abuse their children; none of those parents are going to come before the committee and admit, "I was an alcoholic parent, I beat my daughter, I know that my boyfriend raped her, and I didn't do anything about it." Those are the parents being discussed with regard to the judicial bypass procedure outlined in the bill. In conclusion, she encouraged those members who had to leave the meeting early to listen to a recording of the meeting and take into account the personal stories of those who have been affected by child abuse and sexual abuse, so as to be able to start thinking of their needs first.

[Vice Chair Dahlstrom returned the gavel to Chair Ramras.]

[3:48:54 PM](#)

STEPHANIE TAYLOR, after noting that she has five children, two of them teenage girls, said that she is in support of HB 35. She offered her belief that neither the passage of HB 35 nor the lack of its passage will change anything for victims of abuse or provide them with more protections, and that at issue instead is the question of what abortion does. Teenagers, she pointed out, are not always mature enough to think about the future; when they are making choices, they think only of the present without considering where the decisions they're making now will lead them in the future. Furthermore, a teenager is unlikely to have sufficient knowledge about her own and/or her family's medical history; for example, without parental involvement, a teenager making medical decisions might not know about her family's propensity for having adverse reactions to certain medical drugs.

MS. TAYLOR pointed out, too, that regardless of how good a job parents might do in instilling their children with certain values, teenagers still do things they know their parents don't want them to do, and this can make it difficult for teenagers to then tell their parents that they've done something wrong anyway even while knowing it was wrong. Not passing HB 35 would make it okay for a teenager to usurp her parents' authority and make these kinds of choices and medical decisions on her own; not

passing the bill would make it easier for a teenager who has made a bad choice to keep her parents out of the loop simply because she doesn't want to face her parents with that fact. Again, the fact that teenagers, even ones who normally make good choices, could make a bad decision and find themselves pregnant speaks to the fact that teenagers don't always think in the long term.

MS. TAYLOR relayed that as a parent, she tries to talk with her children about all of these issues, but there is no guarantee that they will always do the right thing, no guarantee that they won't do something and thereby create problems for themselves. Parents are responsible for their children, and if complications arise from an abortion, the parents are the ones who are going to be responsible for providing care and seeing their children through those difficulties, and so to leave parents out of "this part of the process" is just not right. In conclusion, she encouraged the committee to pass HB 35 and support parents' rights.

[3:53:24 PM](#)

SARAH CASE relayed that she is in favor HB 35. She explained that she became pregnant with her first child when she was 17 and a junior in high school. Although it was difficult for her to tell her parents, she relayed, her parents helped her make her decisions regarding what her future would be, made sure that she continued her education, and provided assistance [raising the baby]. Given that she has to sign parental consent forms for her daughter to get a shot, she said, she has difficulty with the concept that her daughter could get surgery that might endanger her life and ability to have children herself in the future without parental consent or even notification. All medical procedures have a risk of complications, and require follow-up care. Teenage pregnancy is an incredibly traumatic event, and every pregnant minor needs long-term care regardless of the path she chooses. She offered her belief that allowing girls who've been abused to obtain an abortion will only result in their continuing to be abused, because the abuse will be covered up, and that's not going to help anyone. It is the majority of parents, those who know how to take care of their children, who need to know about their children's medical procedures in order to take care of them.

[3:56:04 PM](#)

JESSICA LARSON said she supports HB 35, and is really concerned about the State driving wedges between parents and children. There are lots of good, attentive parents who are trying to have relationships with their teenagers, she remarked, and characterized HB 35 as important because it will permit those parents to play a role in some of the hardest decisions their children may have to make. She indicated that she strongly supports parental notification and, to a lesser degree, parental consent. She also relayed that she is concerned about situations in which older men are impregnating minors and then attempting to destroy the evidence of their sexually abusive behavior by bringing those minors to abortion clinics.

MS. LARSON opined that in no way should a concerned parent be deprived of knowing about such a situation involving their child, or lose the ability to press charges for statutory rape; furthermore, the courts should be involved in situations involving sexual abuse of a minor. Regardless that only a few ideal families exist, if striving for that ideal is abandoned or the destruction of that ideal is allowed to occur, then what is society left with? Don't desert parents who are working towards having the best family relationships they can, she remarked, opining that to do so would be a travesty. Regardless that HB 35 may be litigated, she offered, her belief is that it will stand. In conclusion, she pointed out that people are accountable [for the ensuing results] if they allow the disintegration of the family.

[3:58:33 PM](#)

ANN GRAY said that she, the mother of four children who aren't old enough to speak for themselves, supports HB 35, which she characterized as dealing with parental consent - not abuse or abortion. She relayed that she became pregnant at the age of 14, and is thankful for the guidance she received from her parents as she made the important decisions she was then forced to make because of her pregnancy. Now, at the age of 24, she said she can't imagine having her daughter, once she becomes a teenager, have to face the situation of being pregnant without parental support and instead only receive counseling from a medical professional - it's a horrifying thought to any loving parent, particularly given that it's the parent who must deal with the consequences of a pregnant minor's decision. Looking back, she admitted, she wouldn't have been able to comprehend the long-term consequences of her decision had she had to make it on her own. In conclusion, she acknowledged the difficulties faced by a minor who finds herself in the same position she was

in, and the fact that there are extreme cases in which a pregnant minor can't rely on her parents; nonetheless, it is her understanding that laws are meant to protect the majority of Alaska citizens - children and parents like herself.

[Chair Ramras turned the gavel over to Vice Chair Dahlstrom.]

[4:00:52 PM](#)

MARGARET BROWN, after relaying that she is a mother and an educator, said that she is in favor of HB 35 and encourages support of bill. She said that she agrees with comments that pregnant minors must not be separated from their parents at a critical-decision juncture in their life. As a society, people want and need parents to guide their children through decisions of all sorts, but parents must especially have the ability to do so during their children's most desperate times. To place the State between the parent and the child at the point of a critical decision such as ending a pregnancy is bad [case] law and needs to be reversed, because it puts the State in the role of the parent - encouraging a contemptuous relationship of deceit and manipulation. Removing parental consent for a major medical procedure does not support family strength and bonding; it does just the opposite. She opined that 13- to 17-year-old teenagers are not ready to make adult decisions, surmising that that is why they aren't considered to be adults until they reach the age of 18. Current [case] law, however, gives such teenagers the ability to decide to take the life of a developing fetus without the advice of those who support them.

MS. BROWN indicated her belief that having the option of the judicial bypass procedure will be sufficient for those teenagers who do not have the loving support of their parents. Regardless that that procedure may be difficult to undertake, that is not the primary concern of HB 35, though it should be the intent of the State to make that procedure available and timely for those who need it the most. In conclusion, she shared her hope that the committee will support the bill.

[4:02:46 PM](#)

STEPHANIE SCHURTER - after mentioning that she has worked as a [maternity] nurse and in a pediatric clinic, and that she has two children - relayed that she would be speaking in support of HB 35. She characterized parental consent for an abortion as vital to protecting the foundation of what society is built on - the family - and offered her belief that HB 35 will protect

minors because it will aid parents, who are responsible for their children, to fulfill their parental roles. Parents are the first and foremost resource minors have when making serious decisions, especially decisions about their bodies, beliefs, and futures. To take away parents' right to provide that assistance will tear at the social fabric of the state. Noting that parental consent is required in numerous other situations, she remarked that it is completely inconsistent to apply the Alaska State Constitution's privacy clause to minors solely in the case of abortion, and makes no sense to her. She shared her belief that abortion is not a medically necessary procedure.

MS. SCHURTER opined that there are also important psychological and spiritual aspects and repercussions that a pregnant teenager [with the assistance of a responsible adult] needs to consider, without making any rash decisions. Acknowledging that there will be situations in which pregnant teenagers are being abused or can't rely on their parents, she opined that in the majority of situations, teenagers must discuss their pregnancy with their parents. In conclusion, she said she greatly fears giving medical institutions the right to perform procedures on children without parental consent, and again relayed that she supports HB 35.

[4:05:42 PM](#)

ROBERTA N. HUNTER relayed that she would be speaking in support of HB 35, and offered the following:

The supreme court decision that overturned our original PCA was based on the right of Alaskan children to autonomy specifically in [regard] ... to whether or not the children wanted to have a child or not. I am here to speak on behalf of the subject of autonomy for pregnant minors who are forced by their parents to get abortions. I've studied abortion and related issues, and have spoken with pre- and post-abortive women and young ladies for many years. I can assure each of the legislators that there are minors in the state of Alaska who have been and are forced and coerced into having abortions by their parents against their wishes and wills.

Since the ... [Alaska] Supreme Court has ruled that the Alaska [State] Constitution protects Alaskan minors' rights to autonomy in [regard] ... to having a child or not, this same right must, in all fairness,

be applied to minors who want to keep their babies and raise them. Currently, the lack of a parental consent law in our state leaves young ladies wishing to carry their pregnancies to term, and raise their own children, unprotected.

[Vice Chair Dahlstrom returned the gavel to Chair Ramras.]

MS. HUNTER then [paraphrased] from some log entries [purportedly] written by pregnant teenagers on an Internet web site titled "Teen Abortion Issues" about being forced to have an abortion. She offered her understanding that such stories are common, and that those teenagers were forced by their own parents to have abortions and as a result are suffering serious trauma during their developing years. She argued that such teenagers must be protected from their parents - those teenagers have to be allowed to retain their options if true autonomy is to be the rule of law in Alaska. She said she supports HB 35 because it will protect the autonomy of minors who seek to continue their pregnancies and keep their babies, and opined that the bill contains enough provisions to ensure that all minors are protected with regard to their own bodies. House Bill 35, she asserted, would promote parental rights and responsibilities for all parents, including those pregnant minors wishing and choosing to become mothers themselves, would strengthen Alaska families, and would protect the autonomy of every pregnant minor in Alaska. Current law, she opined, fails to protect pregnant minors seeking to exercise their right to decide whether to become mothers.

[4:09:41 PM](#)

CARISSA PHILLIPS offered her belief that it is parents' god-given responsibility, right, and privilege to raise, govern, and protect their own children. There is something very wrong and destructive, she opined, with the fact that Alaska [law] currently allows a pregnant minor to have an abortion - which she characterized as an invasive medical procedure - or obtain abortifacient medication, that could potentially have devastating results mentally, physically, emotionally, and spiritually, without her parents' knowledge or consent. She, too, noted that parental consent is currently required in numerous other situations, and characterized the lack of such a requirement with regard to abortion as inconsistent and absolutely ridiculous.

[Chair Ramras turned the gavel over to Vice Chair Dahlstrom.]

MS. PHILLIPS observed that under current [case] law, in addition to the possible loss, grief, and lack of trust in their relationship with their child, parents are still responsible for providing care for their daughter after an abortion, including providing counseling or medical help if needed as a result of the abortion; furthermore, as a dependent, a minor relies on her parents for post-abortion care addressing the possible risks of abdominal pain, cramping, nausea, vomiting, diarrhea, bleeding, infection, internal organ damage, heavy bleeding, incomplete abortion, reaction to anesthesia, damage to the cervix, scarring of the uterine lining, perforation of the uterus, breast cancer, preterm delivery, placenta previa, suicide, substance abuse, and death. She mentioned that she acquired the aforementioned information about the risks of abortion from the Crisis Pregnancy Center (CPC).

MS. PHILLIPS asked that parents be allowed to oversee "these types of medical decisions," adding her belief that current [Alaska case] law reaps destruction upon families and robs parents of their parental rights. "How are we to protect and guide our children if the State is working against us?" she queried. Passage of HB 35, she posited, will protect parental rights and strengthen families by allowing the doors of communication to be opened between children and their parents, by preventing the coercion of minors to have an abortion, and by allowing parents to oversee their children's health decisions and give guidance, support, and encouragement. In conclusion, she mentioned that she has three children, stated that she is in favor of parental rights, and urged the committee to "give back to us our fundamental rights as parents and witness [the] strengthening of Alaska's families."

[4:12:17 PM](#)

PAULINE LAFOREST, after relaying that she has four children, pointed out that whenever she takes her children to the hospital at Elmendorf Air Force Base, the doctors there recognize and respect her right as a parent to consent to or refuse their recommendations regarding medical procedures for her children. If this federally-run military base recognizes her parental rights regarding her children's medical procedures, then why doesn't the State of Alaska?. She offered her understanding that at the heart of HB 35 is the issue of parental consent, and characterized that as a right parents have when raising their children. She said she takes her parental responsibility seriously and works hard to fulfill it. On the issue of

responsibility, she pointed out that when a 13-year-old, for example, gives birth, although she then has a responsibility to her child, it doesn't make her a responsible person. In conclusion, she asked the committee to support HB 35.

[Vice Chair Dahlstrom returned the gavel to Chair Ramras.]

[4:15:27 PM](#)

DEBBIE JOSLIN, President, Eagle Forum Alaska, said she is in support of the passage of HB 35, adding her belief that the family, which she characterized as the fundamental building block of society, is in trouble in a variety of ways. House Bill 35 would not force parents and children to communicate with each other, she remarked, but as the law currently stands, there is a wall between parents and children that stops the communication that should be there. She said that although she herself was raised in a dysfunctional home, she believes that the vast majority of parents want what's best for their children.

MS. JOSLIN relayed that she had an abortion when she was 18 and was assumed to be fairly mature because she'd become emancipated at the age of 17; she didn't have parents that she could go to, and instead relied on the advice of the man who got her pregnant. Had she been a minor in a state with a law such as HB 35 in place, she acknowledged, she would have had to go through a judicial bypass procedure, but surmised that regardless of how scary that process might have been, it would have been well worth it to get input from an unbiased judge who might have pointed out to her that she had other options besides just getting an abortion, options she didn't get to hear about from the man who got her pregnant or from Planned Parenthood.

MS. JOSLIN opined that what should be considered is that what's really best for teenagers is for them to have input from their parents, or, lacking that, input from the courts. In addition, if a pregnant teenager is living in an abusive situation, she proffered, then the teenager could simply get input from a school counselor, for example. All of Alaska's laws should be passed based on what's best for the whole [of society], and for the majority of teenagers, she opined, the best thing would be to have a parental consent law in place. In conclusion, she asked the committee to pass HB 35 quickly.

[4:19:28 PM](#)

DAVID BRONSON, Alaska Family Council, after explaining that the Alaska Family Council is a pro-family organization whose goal is to protect and defend Alaska families, said he disagrees with the earlier comments that referred to pregnant minors as women; instead, he opined, HB 35 pertains to children, and will solidify parents' access to their children. Although the bill won't address all situations, it will do a good job of assisting parents and will create an opportunity for the State to help parents during what could be one of the most difficult times in theirs and their child's life. In conclusion, he said the Alaska Family Council appreciates HB 35.

[4:22:05 PM](#)

CATHY COTTON, after noting that she is in favor of HB 35, opined that parents have a fundamental right to know whether their minor child is seeking an abortion, and the right to be involved in any and all medical decisions pertaining to their children. She indicated that HB 35 "makes perfect common sense" to her, and shared her hope that members will vote "Yes" on HB 35.

[4:22:59 PM](#)

PAMELA SAMASH said she supports of HB 35 because of the right of parents to make decisions for their children. She asked [the legislature] to protect parental rights and teenagers' lives, and offered her understanding that the bill will protect abused teenagers and could break the cycle of destructive, abusive patterns via intervention. She relayed that a friend of hers was raped repeatedly by her friend's father; surmised that a bill such as HB 35 would have made a difference by forcing a legal intervention, stopping the abuse; and asserted that her friend is also in support of the bill. She opined that to not pass HB 35 would be more destructive to teenagers because they could get hurt during the abortion procedure; parents need to be involved in such a situation in order to be able to take care of their daughter. In conclusion, she asked the committee to please pass HB 35.

[4:27:00 PM](#)

MICHAEL REMILLARD - after mentioning that he agrees with those [who have spoken in favor of HB 35], and that he, too, is in favor of HB 35 - said he thinks it will help protect the fundamental rights of parents to be involved in the medical decisions of their minor children. With regard to the notion that children are experts in their own lives, he pointed out

that teenagers have always believed they are experts on a great many subjects only to realize later on in life that they aren't; society recognizes that, and parents recognize that, and that's why there are age limits with regard to driving, drinking, and voting, for example.

MR. REMILLARD shared his belief that HB 35 is very important, and that the vast majority of families fall somewhere in between being so perfect that they don't need the bill and being so dysfunctional that the bill won't help them - somewhere in the middle wherein it's a combination of factors and influences that result in a teenager choosing one path over another; in these situations it is important for teenagers to go back to their parents and receive guidance. Furthermore, the bill does provide for judicial bypass, and so regardless of how scary the judicial system and the social services network are to deal with, people [in this country] are fortunate to have them, and when a teenager has to interact with the judicial system, it's a good thing regardless that it can be intimidating. In conclusion, he said he supports HB 35.

[4:30:11 PM](#)

RICK SIKMA relayed that he is in favor of HB 35, and offered his belief that parents have been making good decisions on behalf of their children for centuries, and that it has been understood by society that parents are the ones who are supposed to take care of and make decisions for their children. The court system and the legal system, over the last several years, have been deciding that the courts and the government should take control of children, and this has resulted in more and more crime and problems in the community, he opined, and shared his belief that parents should have the right to make decisions for their child - especially a serious decision like whether the child should have an abortion. He offered his understanding that when his daughter-in-law had an abortion when she was 13, Planned Parenthood never asked her whether she wanted an abortion and didn't notify her parents; that she now wishes that her parents had been involved; and that she is now experiencing health and emotional problems because of that abortion. In conclusion, he offered his hope that all members will vote to pass HB 35 from committee.

[4:33:04 PM](#)

KAT DAVIS offered her belief that HB 35 should be passed in order to protect young women and parental rights. Parents are

liable for the actions of their child, she observed, and pointed out that a minor is unable to get a tattoo and can only get a piercing with parental consent, and that if a minor changes her mind after getting a piercing, the stud can be removed, whereas an abortion is more complex in that it can affect that girl's ability to carry a baby to term later on and might increase the risk of various cancers. Getting an abortion, she surmised, is psychologically and emotionally traumatic for a lot of women. During the developmental stage, a teenager might be inclined to be independent but she is not always fully prepared to handle that independence, and thus when facing a decision that could potentially affect her body for the rest of her life, having the input of her parent or guardians is vital.

MS. DAVIS offered her belief HB 35 would reduce the likelihood of a child being victimized without parental knowledge. A teenager can be pressured into having sex and then be pressured into having an abortion without the responsible adults in her life ever knowing about it. Given the liability issues that parents face these days, the decision to have an abortion should not be made without a parent's knowledge. She asked the committee to please pass HB 35 and protect the rights of parents. She explained that she was molested as a child and then raped as a teenager, and thus understands the chaos associated with such trauma, and relayed that although telling her mother what had happened was probably one of the hardest conversations she's ever had, it was also a great relief to then have her mother's support and advice.

MS. DAVIS, noting that she is a registered nurse and that other medical professionals have been testifying against HB 35, said she is concerned that without parental guidance, medical professionals, being in a position of authority, could guide a teenager into having an abortion without concern for her family's values, and this may not bode well in the long term for the family's cohesion and communication.

[4:36:28 PM](#)

LEE CAGE, after mentioning that he is a licensed clinical social worker and the father of six children, stated that he is strongly in support of HB 35 and has learned much from people's testimony.

[4:37:44 PM](#)

D. A. McGILVARY relayed that she has seven children and [will soon have] fifteen grandchildren, and indicated that after reading HB 35 in its entirety, she believes that it will protect a pregnant minor who is frightened of telling her parents that she has decided to get an abortion. All protections under all circumstances are seemingly in place, she opined. Given that parental consent is required for vaccinations or the administering of aspirin, so much more so does a child need her parents' consent and support in situations involving [abortion]; the psychological impact must be horrendous, she surmised, when a woman "kills her unborn child" and then tries to keep it a secret. She asked the committee to please pass HB 35 in order to give parents back their right to be parents to their minor children. She offered her belief that some statutory rape crimes are going undetected due to "private and secret abortions." In conclusion, she said, "These children are gifts of god, from whatever source, and we just can't be snuffing them out, and, good gracious, if they're going to do that, their parents need to know and assist in the before, during, and after."

[4:41:32 PM](#)

SETH CHURCH relayed that he's been involved in the juvenile justice system (JJS) for some years, and offered his understanding that the reason the nation's JJS doesn't use typical [adult] correctional facilities is because kids are not fully developed mentally until the age of 18, and is also why the federal government created the [Juvenile Justice and Delinquency Prevention Act of 1974]. This developmental factor is critical when considering the issue of a minor receiving an abortion, he opined, particularly given that a minor is not considered to be fully capable of making decision in situations involving tobacco, alcohol, and military service, for example. He indicated that he is in favor of HB 35 because it makes good sense and places the authority to make a decision [about a minor's abortion] back in the hands of the parents. In conclusion, Mr. Church offered the following quote by Thomas Paine, "A generous parent would have said, 'If there must be trouble, let it be in my day, that my child may have peace.'"

[4:44:04 PM](#)

KIM BODIKER relayed that when her mother was pregnant with her - the last of five children - her mother's doctor encouraged her to have an abortion because there was a 50-50 chance that the baby would be "brain dead" at birth, but she refused, and once

she did give birth, that doctor then saw the error of his advice. A pregnant 15-year-old receiving such advice from a doctor, however, might simply acquiesce to having an unnecessary abortion. A doctor may not know all of the circumstances in a pregnant teenager's life, but her parents would. It is important for parents to realize their responsibilities to their children by having their children come to them to discuss matters such as abortion, for example.

MS. BODIKER offered her belief that even though some teenagers do live in very abusive situations, there are options other than abortion for such teenagers to pursue. Her parents were very involved in every major decision in her life, and her life would be for the worse, she surmised, if they hadn't been so involved. Parents have the experience and the knowledge to consider consequences that a teenager may not be able to envision, and this is a protection teenagers need; parents, for example, would have knowledge of their child's medical conditions, and could institute protections against a predator, and adoption of HB 35 would help ensure that such information comes to light and would [encourage] better parent-child relationships. In conclusion, she asked members to vote "Yes" on HB 35.

[4:47:54 PM](#)

CAROL SZOPA said she is for passage of HB 35, and that she agrees with the prior speakers [in favor of the bill]. Alaska's adults need to protect their children, she opined, and offered her understanding that under current [case] law, any adult can influence a pregnant minor into having an abortion without her own parents ever knowing; for example, the parents of the boy who got a girl pregnant could take the girl in for an abortion and thus save themselves and their son from having to pay child support. Currently nothing protects a pregnant minor from making a decision not in her own best interest. Children need their parents to help them because their young brains are not fully developed. She relayed that her daughter became pregnant at the age of 17 and later shared with her that it would have been horrible had she not been able to get advice from her mother. House Bill 35, she opined, is about parental rights, parental consent, and the rights of a child to be able to rely on her parents, not her boyfriend or his parents or a school counselor or other some other adult who doesn't know that child like her parent do. In conclusion, she expressed her hope that HB 35 will get passed [from committee].

[4:50:10 PM](#)

JANET CREPPS, Deputy Director, U.S. Legal Program, Center for Reproductive Rights, relayed that she would be testifying in opposition to HB 35, and mentioned that she has been a member of the Alaska Bar Association (ABA) since 1983, has represented abortion providers in Alaska for more than a decade, and was lead counsel [for the appellees in State v. Planned Parenthood of Alaska]. She opined that HB 35 is clearly unconstitutional under the Alaska Supreme Court's decision in Planned Parenthood of Alaska. In that case, the court struck down the existing [parental] consent requirement because it gave parents an impermissible veto over a minor's decision to have an abortion; determined that the State could accomplish its goals through the less-restrictive means of [requiring parental notification]; and clarified that [the then-existing] parental consent requirement went too far. This decision is a binding precedent that the legislature should recognize and apply when considering HB 35. Ms. Crepps added:

And I'd like to address one particular aspect of the opinion in response to something that Representative Coghill said when he was presenting the bill. [Representative] ... Coghill mentioned that the court described the previous parental consent law as constitutionally suspect. That statement came when the court was considering whether or not the consent requirement was the least restrictive means of accomplishing the State's goal. The point the court was making was that on its face, the law [was] suspect because it required consent instead of notice. After a thorough examination of the law and the State's asserted justifications for it, the court concluded that its suspicions were confirmed and the law was, in fact, unconstitutional.

MS. CREPPS offered her belief that the consent provision is not the only serious problem with HB 35 but that there are in fact other provisions that also make it unconstitutional. For example, the bill imposes a mandatory 48-hour delay following notice about the abortion to a parent. While other notice laws in the U.S. allow a parent to waive the delay by giving consent to the abortion, under HB 35, a parent who is ready to consent cannot waive the waiting period even if the parent believes that it is in the minor's best interest to proceed without delay. There is no legitimate justification, she opined, for the legislature to require a delay against the wishes of the parent. Furthermore, she also opined, the definition of "medical

emergency" [as used in proposed AS 18.16.010(g)] is unconstitutionally vague; no other such law containing an exception for a medical emergency uses the words "medical instability" - this is not a medical term nor will it provide physicians with enough guidance to meet constitutional standards. In conclusion, she asserted that HB 35 is unconstitutional on numerous grounds, and urged the committee to reject the bill.

MS. CREPPS, in response to comments, opined that HB 35 is not only unconstitutional, for the reasons found by the Alaska Supreme Court when it considered the previous law, but is worse; it is more burdensome - it combines notice and consent - and is therefore more unconstitutional than the previous law. In response to a question, she reiterated that the term, "medical instability" is not a medical term, and observed that neither is it further defined in statute. The constitutional standards for due process, she pointed out, require that all laws, especially those imposing criminal penalties or severe civil penalties, have to be clear enough to provide those who must comply with the law and those who must enforce the law with enough information to do so and to do so fairly. The term "medical instability" isn't anything that a physician would recognize or be able to conform to in order to avoid either jeopardizing the health of the minor or facing severe penalties.

REPRESENTATIVE COGHILL disagreed.

[4:57:15 PM](#)

HEATHER CHURCH, after relaying that she is a nursing student and plans to get licensed in Alaska, mentioned that according to the teaching she is receiving, the patient is to be considered by community nurses as [part of] the family, and that she and her fellow nursing students have been working with teen parents. As nursing students, she explained, "we see that ... teen parents' families are very involved." In conclusion, she said she is in support of the bill, and asked members to please vote "Yes" on HB 35.

[4:58:33 PM](#)

HEIDI DOUDNA, after mentioning that she is the mother of seven, said she is very supportive of HB 35, and agrees with the concept that parents have the right to be involved in all medical decisions that involve their minor children. She expressed her trust that legislators will rectify any problems

with the current wording of the bill in order to ensure that parents will have the right to decide what is best for their own children's psychological and physical long-term health. In conclusion, she asked members to please vote "Yes" on HB 35.

4:59:38 PM

ANNIE DOUGHERTY, after mentioning that others have expressed many of her points, said she is in support of HB 35. She offered her belief that the primary reason a minor would attempt to have an abortion without parental knowledge or consent is because she is scared - being a child and pregnant is scary, as is deciding to have an abortion. However, hiding the problem from her parents will only ensure that the minor remains in fear even after she has the abortion because it will then be just so much harder for her to approach her parents for help and comfort. She noted that even though she is a loving mother, her own children are fearful about having to admit to her that they've been doing something they shouldn't; it's natural for children to feel fear, but it's important to teach children the importance of admitting that they have a problem in order to get the appropriate help.

MS. DOUGHERTY offered her belief that the majority of parents love their children and want what's best for them. And although there are some children who aren't blessed with a loving family and may thus rightly fear the consequences of disclosing their [pregnancy and desire to have an abortion] to their parents, HB 35, she opined, provides protections for such children. [Passage of HB 35], she proffered, will result in children taking responsibility for their mistakes - and a child who has gotten pregnant has made a mistake; children shouldn't deal with mistakes just by trying to cover them up. She cautioned against not passing HB 35 simply out of fear that some parents will hurt their children or force them into doing something [they don't want to]. It's the parents' responsibility and right to parent their children and work together with their children to solve their children's problems. In conclusion, she asked the committee to please pass HB 35.

5:04:25 PM

GERR C. KEFFER said that he and his wife have raised three children and are now grandparents, and believe in the right and responsibility of parents to take care of their own children; in the government's responsibility to ensure protection for families; and in less government.

[5:05:12 PM](#)

DICK STOFFEL said he is in favor of HB 35, hopes [the legislature] will pass it, and offered his belief that it is very constitutional for parents to have the right to consent "in this matter."

[5:05:45 PM](#)

TIFFANY ROGERS-BORGES said she would be testifying in support of HB 35, offering her belief that it will maintain the integrity of families in a difficult situation. She characterized the names of entities such as Planned Parenthood and the Center for Reproductive Justice as euphemisms for abortionists seeking to practice on young, lonely teenagers. Abortion won't solve the problem of abuse or rape, and so the focus should instead be on what has the highest value, and keeping something hidden doesn't qualify nor does tearing parents away from their children; what has the highest value, she opined, is the preservation of life, consent, and notice. Autonomy regarding military service, driving a car, or undergoing other medical procedures is not being given to children, and so neither should it be given to a minor seeking an abortion - parents should be united on this issue. In conclusion, she said she disagrees with [studies illustrating] that a large population of the young adults currently in prison were borne of young mothers, and with the concept that an entire segment of the population should be eliminated simply for the sake of convenience.

[5:07:49 PM](#)

MARLENE MEYER said she is in strong favor of HB 35, and offered her belief that HB 35 will help victims of abuse by encouraging those who are seeking an abortion to disclose their abuse and thus receive help from the court system. House Bill 35, she opined, will also protect the rights of supportive parents in Alaska. In conclusion, she expressed her hope that the committee will pass HB 35.

[5:09:05 PM](#)

JACKIE GENGLER, mentioning that she is the mother of five, offered her belief that in addition to protecting a pregnant minor, HB 35 would also protect the unborn child as well, noting that her children now play with the child of the woman whose

mother was advised to abort her. "This" is a very serious matter, she said in conclusion, and urged support of HB 35.

5:10:25 PM

DEVON SCHRODER relayed that she would be speaking in opposition to HB 35, and mentioned that she has two daughters. She indicated her belief that a person shouldn't start being a good parent and providing for a safe and secure relationship with his/her child only after the child becomes pregnant. Such a relationship should instead start long before anything like a teenage pregnancy ever comes up; "preventative maintenance is the key for me," she added, noting that she is already speaking with her 8-year-old daughter, at an age-appropriate level, about physical interactions with others. That discussion, she pointed out, will need to continue as time goes on so that a comfortable and open relationship is fostered, perhaps thereby reducing the likelihood of a teenage pregnancy occurring in the first place. She said she doubts that many teenagers who have open communication with their parents engage the services of an abortion provider without their parents. The bill would not encourage children to sneak around behind their parents' backs, she surmised, and suggested that what's needed is to foster good parenting to begin with. Her parents, she noted, spoke with her at an early age about all of her options and explained the facts of life. Fostering communication the entire time is an important part of raising children, she said in conclusion.

5:12:20 PM

SUSAN REEVES, after mentioning that she is the mother of three young children, said she doesn't think that having an abortion is done out of fear of one's parents, and that she hopes that she has a good relationship with her children so that they will feel comfortable coming to her. However, she remarked, she also hopes that if her children find themselves in a situation that doesn't give them the opportunity to ask her for her support or advice, that they would have the intelligence to do what they felt was right and have a way and the means to do it in a safe manner. Passage of HB 35, she surmised, would tie the hands of those providing good, safe, quality care at [organizations such as] Planned Parenthood. She opined that children who are raised to be strong and independent will be able to think for themselves and be able to make their own decisions - not based on fear - and thereby take care of difficult situations in an appropriate manner, but not if their ability to do so is removed

[via the passage of HB 35], which will just create a mess and nightmare for the public to deal with.

[5:13:57 PM](#)

BELISHA JEFFRIES said she is opposed to HB 35, and mentioned that she grew up during a time when abortions were viewed as bad things, and that she knows some of her daughter's friends who've become pregnant have been afraid to tell their parents. When children are raised by parents who take the time to explain things to them, a lot of those children make very good decisions and feel that they know what is right for them. Ms. Jefferies said she would like to know what's going on with her daughter - if her daughter were to be underage and decided to have an abortion - but she wouldn't want to stop her daughter because, in the end, it will be her daughter who will have to raise the child.

[5:15:28 PM](#)

ORVILLE SMITH said he is against HB 35 for various reasons, adding that everything he was going to say has already been said by prior testifiers.

[5:15:55 PM](#)

STEVE BRADLEY said he is against HB 35, adding that everything he was going to say has already been said by prior testifiers.

[5:16:19 PM](#)

KAREN MARTIN relayed that she has four living children, has had one miscarriage, and was encouraged to abort her last child because of her age but declined to do so. She shared her belief that every child, at the moment of conception, has the "inalienable right ... [to] life, liberty, and the pursuit of happiness," and questioned how different the world would be had various historical and present-day figures been aborted. In conclusion, she encouraged members to watch the video of an abortion that's available on the Internet.

[5:18:26 PM](#)

ROBIN SMITH said she opposes HB 35. She characterized the assertion by some that children can't ever access medical treatment without parental consent as inaccurate, and pointed out that no state explicitly requires parental consent for

contraceptives, [pregnancy] tests, testing and treatment of sexually transmitted diseases (STDs), counseling, medical care for drug and alcohol abuse, outpatient mental health services, a cesarean section, prenatal care, or the delivery of a baby. Furthermore, once a minor has a baby, she has parental rights over that baby regardless of her age. And although the concept of parents and children interacting in a situation involving a teenage pregnancy sounds good, attempting to mandate such behavior via the passage of HB 35 is akin to passing a law mandating that all families shall be loving and supportive and all children shall talk to their parents if they get into trouble; the bottom line is that [passing such laws] doesn't work.

MS. SMITH offered her understanding that the governor's daughter - Bristol Palin - has said that unintended pregnancy is the problem and that abstinence-only education in the schools doesn't work. What's really needed to help prevent abortions, Ms. Smith surmised, is to provide comprehensive, medically-accurate, sex education in the schools, thus lowering the possibility of teenage pregnancy to begin with. In addition, if parents want their children to talk to them about their troubles in an atmosphere of mutual respect, then parents must start interacting with their children in that manner at a very early age, and so perhaps providing parenting classes would also be a good idea. Unfortunately, Alaska has high rates of alcohol abuse and domestic violence, and the highest rate of child sexual abuse in the country; given these facts, HB 35 is just not a good law to impose, particularly given the distance some teenagers will have to travel in order to use the judicial bypass procedure outlined in the bill.

MS. SMITH, in conclusion, said she opposes HB 35 because teenagers already have access to quite a bit of medical care without parental consent, and because it will endanger teenagers who may try to induce an abortion themselves [so as not to have to get consent from their parents].

[5:23:02 PM](#)

KATIE HULL mentioned that she is now raising a family, and that as a teenager, she became pregnant. Ms. Hull said she agrees with the comments made by Ms. Smith, particularly with regard to providing comprehensive sex education in the schools; giving girls this information is the only way to "stop this whole entire issue." Noting that she is now a teacher, she said there are many [sexually active] girls in high school who still don't

know how to avoid becoming pregnant, and so telling them only about abstinence isn't going to solve the problem. She relayed that when she became pregnant, she had many options and a supportive family and chose to keep her child, and that now that she is an adult, her family has taken in many troubled kids who don't have supportive families or the luxury of someone to talk to. If the legislature tries to take away [a minor's ability to obtain an abortion without parental consent], she predicted, it will just make the problem a lot worse. There is nothing that can be done to prevent families from falling apart or to prevent kids with family problems from living on the street, and it won't help anybody to take away their options [with regard to terminating a pregnancy].

[5:24:39 PM](#)

CASSONDRA ODDEN, after mentioning that she is against HB 35, relayed that she is the mother of a 3-year-old daughter and will do her best to raise her daughter such that she will feel she can come talk to her about any situation. She said, "The thing is, I remember what it was like to be a teenager - I didn't always feel comfortable talking to my parents; I hope that if my daughter were uncomfortable talking to me about a pregnancy, she would be able to seek counsel elsewhere." She said that she would do anything to keep her daughter safe and healthy, and hopes that the legislature will do so too, and do so by keeping HB 35 from passing; there shouldn't be any more complications, in an already complicated situation, for a teenager who needs help.

[5:26:32 PM](#)

SCOTT PUSTAY said he is opposed to HB 35, is in favor of keeping Alaska's teenagers healthy and safe, and thinks that the bill will prevent that from happening.

[5:27:16 PM](#)

TABITHA CHRISMAN said she is for HB 35. She said that she has been volunteering at a local "crises pregnancy center," and has noticed that the happiest of the girls who come to the center are those who have their parents involved. She offered her understanding that in situations involving pregnant minors, "the parents are paying for pretty much everything" and the minors are still living with their parents. She believes, therefore, that parents should have a say in what their children's decisions are.

CHAIR RAMRAS, after noting that no one else wished to testify, closed public testimony on HB 35, and relayed that HB 35 would be held over.

[5:29:36 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 5:29 p.m.