

ALASKA STATE LEGISLATURE
SENATE HEALTH AND SOCIAL SERVICES STANDING COMMITTEE

April 17, 2009

1:37 p.m.

MEMBERS PRESENT

Senator Bettye Davis, Chair
Senator Joe Paskvan, Vice Chair
Senator Johnny Ellis
Senator Joe Thomas
Senator Fred Dyson

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 35(FIN)(CT RULE FLD)(EFD FLD)

"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; and relating to reporting of abortions performed on minors."

FAILED TO MOVE OUT OF COMMITTEE

SENATE BILL NO. 172

"An Act establishing the Alaska Health Care Commission in the Department of Health and Social Services; and providing for an effective date."

SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: HB 35

SHORT TITLE: NOTICE & CONSENT FOR MINOR'S ABORTION

SPONSOR(S): REPRESENTATIVE(S) COGHILL

01/20/09	(H)	READ THE FIRST TIME - REFERRALS
01/20/09	(H)	JUD, FIN
01/20/09	(H)	PREFILE RELEASED 1/9/09
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
 03/11/09 (H) Heard & Held
 03/11/09 (H) MINUTE(JUD)
 03/13/09 (H) JUD AT 1:00 PM CAPITOL 120
 03/13/09 (H) Moved Out of Committee
 03/13/09 (H) MINUTE(JUD)
 03/16/09 (H) DP: LYNN, COGHILL, GATTO, DAHLSTROM,
 RAMRAS
 03/16/09 (H) JUD RPT 5DP 2DNP
 03/16/09 (H) DNP: GRUENBERG, HOLMES
 03/16/09 (H) JUD AT 1:00 PM CAPITOL 120
 03/16/09 (H) <Bill Hearing Canceled>
 03/25/09 (H) FIN AT 1:30 PM HOUSE FINANCE 519
 03/25/09 (H) Heard & Held
 03/25/09 (H) MINUTE(FIN)
 03/25/09 (H) FIN AT 6:30 PM HOUSE FINANCE 519
 03/25/09 (H) Heard & Held
 03/25/09 (H) MINUTE(FIN)
 03/26/09 (H) FIN AT 5:00 PM HOUSE FINANCE 519
 03/26/09 (H) Heard & Held
 03/26/09 (H) MINUTE(FIN)
 03/27/09 (H) FIN AT 1:30 PM HOUSE FINANCE 519
 03/27/09 (H) Moved CSHB 35(FIN) Out of Committee
 03/27/09 (H) MINUTE(FIN)
 03/30/09 (H) DP: FOSTER, KELLY, STOLTZE
 03/30/09 (H) FIN RPT CS(FIN) 3DP 4NR 4AM
 03/30/09 (H) AM: GARA, SALMON, CRAWFORD, FAIRCLOUGH
 03/30/09 (H) NR: THOMAS, JOULE, AUSTERMAN, HAWKER
 04/02/09 (H) VERSION: CSHB 35(FIN)(CT RULE FLD)(EFD
 FLD)
 04/02/09 (H) TRANSMITTED TO (S)
 04/03/09 (S) READ THE FIRST TIME - REFERRALS
 04/03/09 (S) HSS, JUD, FIN
 04/13/09 (S) HSS AT 1:30 PM BELTZ 211
 04/13/09 (S) Heard & Held
 04/13/09 (S) MINUTE(HSS)
 04/15/09 (S) HSS AT 1:30 PM BUTROVICH 205
 04/15/09 (S) -- MEETING CANCELED --
 04/17/09 (S) HSS AT 1:30 PM BUTROVICH 205

BILL: SB 172

SHORT TITLE: ALASKA HEALTH CARE COMMISSION

SPONSOR(s): SENATOR(s) OLSON

03/27/09 (S) READ THE FIRST TIME - REFERRALS
 03/27/09 (S) HSS, FIN
 04/17/09 (S) HSS AT 1:30 PM BUTROVICH 205

WITNESS REGISTER

REPRESENTATIVE JOHN COGHILL
Alaska State Legislature
Juneau, AK
POSITION STATEMENT: Sponsor of HB 35.

KATHERINE FOREST
Planned Parenthood
Anchorage, AK.
POSITION STATEMENT: Opposed CSHB 35.

BRITTANY GOODNIGHT
Planned Parenthood
Chugiak, AK.
POSITION STATEMENT: Opposed HB 35.

KATE FITZGERALD, representing herself
Anchorage, AK.
POSITION STATEMENT: Opposed HB 35.

THEDA PITTMAN, representing herself
Anchorage, AK.
POSITION STATEMENT: Opposed HB 35.

BRITTANY CHEONEY
Juneau, AK.
POSITION STATEMENT: Opposed HB 35.

CAROLINE SHULTZ, representing herself
Chugiak, AK
POSITION STATEMENT: Opposed HB 35.

JEFFREY MITTMAN, Executive Director
American Civil Liberties Union Alaska (ACLU)
POSITION STATEMENT: Opposed HB 35.

LAYANYA SEMONES, representing herself
Fairbanks, AK.
POSITION STATEMENT: Opposed HB 35.

TAMMY WILSON, representing herself
Fairbanks, AK.
POSITION STATEMENT: Supported HB 35.

EILEEN BECKER, Director

Pregnancy Care Center
Homer, AK.

POSITION STATEMENT: Supported HB 35.

CHRISTINE FONTAINE, Project Director
Kachemak Bay Family Planning Clinic
Homer, AK.

POSITION STATEMENT: Opposed HB 35.

JOSEPH LAPP
Kachemak Bay Family Planning Clinic

POSITION STATEMENT: Opposed HB 35.

CHERYL HUMME, representing herself
Barrow, AK.

POSITION STATEMENT: Opposed HB 35.

KALEN SAXTON, representing herself
Anchorage, AK.

POSITION STATEMENT: Opposed HB 35.

DEBBI JOSLIN
Eagle Forum, AK.

POSITION STATEMENT: Supported CSHB 35 but preferred that it
include parental consent.

CLOVER SIMONE, Vice President
Alaska Planned Parenthood

POSITION STATEMENT: Opposed HB 35.

PAMELA SAMASH, representing herself

POSITION STATEMENT: Strongly supported HB 35.

KIRSTEN STROLLE, representing herself

POSITION STATEMENT: Opposed HB 35.

PATRICIA ODDEN, representing herself

POSITION STATEMENT: Strongly opposed HB 35.

NANCY BISHOP, representing herself

POSITION STATEMENT: Opposed HB 35.

AMBER SAWYER, President
Voices for Planned Parenthood Club
University of Alaska Anchorage (UAA)
Anchorage, AK.

POSITION STATEMENT: Opposed HB 35.

ANTHONY FISHBACK, representing himself
POSITION STATEMENT: Opposed HB 35.

DONNA STARK, representing herself
POSITION STATEMENT: Opposed HB 35.

RICK SICKMA, representing himself
Sitka, AK.
POSITION STATEMENT: Supported HB 35.

LISA EGAN, representing herself
POSITION STATEMENT: Totally opposed HB 35.

DAVID ROGERS, representing himself
POSITION STATEMENT: Supported HB 35.

SUSAN REEVES, representing herself
POSITION STATEMENT: Opposed HB 35.

LAURA HORNING, representing herself
POSITION STATEMENT: Supported HB 35.

ACTION NARRATIVE

[1:37:01 PM](#)

CHAIR BETTYE DAVIS called the Senate Health and Social Services Standing Committee meeting to order at 1:37 p.m. Present at the call to order were Senators Thomas, Ellis, Dyson and Davis.

HB 35-NOTICE & CONSENT FOR MINOR'S ABORTION

[1:37:31 PM](#)

CHAIR DAVIS announced consideration of HB 35. [SCS for CS for HB 35(HSS), labeled 26-LS0192\E had been adopted during the 4/13/09 hearing and was the working document before the committee.]

REPRESENTATIVE COGHILL, sponsor of HB 35, noted that version E was the working document. He offered to go through version E and to answer questions.

SENATOR ELLIS asked how the notification provisions would work if the person who impregnated the girl is one of the family.

REPRESENTATIVE COGHILL replied in a case like that there would be an allegation of sexual abuse and no notification would be required, but a doctor would have to confirm the sexual abuse.

[1:41:52 PM](#)

SENATOR ELLIS stated that doctors are already required to report sexual abuse.

REPRESENTATIVE COGHILL answered that is true, but this is a unique area of law so he thought it had to be more clearly pointed out, especially under the conditions where someone would be seeking an abortion without parental notification or consent. Right now, there is a real question as to the legality of mandatory reporting.

SENATOR ELLIS asked if it is fair to say that HB 35 strengthens the mandatory reporting law when abortion is selected as an option. He thought Alaska already had a pretty strong mandatory reporting law for child sexual abuse, and wanted to hear from an attorney about why they need to make it stronger.

[1:43:16 PM](#)

REPRESENTATIVE COGHILL responded that there are mandatory reporting laws now, but part of the issue he is trying to address in this bill is that an uncle, father or predator can now impregnate a minor child, take her to an abortion clinic anonymously or she can show up on her own and get an abortion, and the only people that know are the providers and the child - and possibly the abuser. Under those circumstances, there is nothing to set the reporting in motion.

SENATOR ELLIS queried if it would only be in these cases or would the strengthened mandatory reporting on the part of doctors apply to all other cases of child sexual abuse that don't involve a pregnancy.

REPRESENTATIVE COGHILL replied that this falls under Title 18 and it is not part of the criminal code under Title 11. Title 18 specifically says "an abortion may not be performed in the state unless..." and that provision is under this heading. Abortion is a highly litigated area, and he thinks mandatory reporting should be part of this body of law.

[1:45:18 PM](#)

KATHERINE FOREST, Planned Parenthood, Anchorage, AK, opposed the CS for HB 35. She is raising a five year old in a loving family and is building good communications with her, but if this bill passes she felt it would limit her rights as well as her ability to get necessary medical care. If she had to get a judicial

bypass, she didn't know how she would get the information and navigate the process in time to get the care.

[1:48:59 PM](#)

BRITTANY GOODNIGHT, Planned Parenthood, opposed HB 35. It would have impacted her mom who was raped by her father. She just came from a wonderful event called "Walk A Mile In Her Shoes" about rape and domestic violence. It amazed her that the committee is willing to look at notification, but wasn't addressing the root of the problem. She was concerned that the judicial bypass, which would take about 18 days if everything went well, would make a person miss the option of having a first trimester abortion. The only other options would be to fly out or to continue with the pregnancy.

[1:52:09 PM](#)

KATE FITZGERALD, representing herself, opposed HB 35. Judicial bypass may seem like an alternative, she said, but teens are likely to seek other alternatives rather than face the judicial process. And how many teens would want to admit they've been abused much less get it notarized, she remarked.

[1:53:33 PM](#)

THEDA PITTMAN, representing herself, Anchorage, opposed HB 35. The Governor reported that some people think an unplanned pregnancy is an inconvenience, but she couldn't imagine this being just an inconvenience. The sponsor says it is aimed at teens in a loving family, but that logically is aiming at teens that don't need the help in the first place. It's time to realize that government can't enforce religious or moral beliefs.

[1:55:36 PM](#)

BRITTANY CHEONEY, Juneau, opposed HB 35. No law can mandate communication she said, and it would not have even applied in her situation as she had loving parents and had no abuse. But she still dreaded telling her parents. She did obtain an abortion at age 18.

This bill has a lot of unanswered questions, she said. How would teens in rural areas access the court system? How would they be informed about what they have to do to obtain a judicial bypass? What if there is abuse and they have to get a letter to corroborate and why is the list so limited? Why does the sibling have to be 21?

MS. CHOENEY remarked that if you want to reduce abortion, why not fund family planning and access to birth control. Juneau is the only place in the state that provides access to birth control in high school. Abstinence is not effective, so give the teens all of the information they need by developing comprehensive sex education in schools. Invest in education and extracurricular activities; use resources efficiently.

2:00:20 PM

CAROLINE SHULTZ, representing herself, Chugiak, opposed HB 35. She was concerned about the inequity in its application between the women in rural Alaska and urban Alaska. How would women in the rural areas access the courts or get the information on how to negotiate the process? She said we should not be putting up barriers in these important decision situations.

She was concerned that some girls would have no one who would corroborate an incident in the case of a judicial bypass, and if a girl is abused, she may not feel safe in going to the police. They trust her to become a mother, but not to testify to her own abuse, she remarked. This bill makes it illegal to coerce someone to have an abortion, but what about coercing them not to? Parents have a lot of control. A lot of questions have not been answered.

2:04:27 PM

JEFFREY MITTMAN, Executive Director, American Civil Liberties Union (ACLU) Alaska, opposed HB 35. He said it puts Alaska teens at risk for their health and safety. Requiring notification does not protect teens; good family communication cannot be mandated. If this law passed it would have terrible consequences in the real world because, "We know that desperate teens will do desperate and dangerous things."

MR. MITTMAN said leading medical organizations whose members provide care for the vast majority of adolescents have policies explicitly opposing mandatory parental notification. A judicial bypass isn't a solution. A desperate teen isn't going to know how to navigate the process, and if she could, she would be unlikely to disclose her intimate details to the court.

2:07:37 PM

SENATOR DYSON asked if he thought other types of medical care for minors should be exempted from parental notification.

MR. MITTMAN replied that the court generally looks at a balancing test of needs and rights. If a teen requires treatment

to end an addiction and needed medical treatment for rehabilitation, the courts would likely look at whether the notice would endanger the life of the teen and maybe rule that it would be unconstitutional to endanger that child's safety by requiring notification. It's not a black and white answer.

SENATOR DYSON said he understands that all of those kinds of treatments require parental consent, and asked if he is advocating removing it for drug and alcohol treatment.

MR. MITTMAN gave an analogy of an emergency medical treatment. If a student were in the middle of a school day and experienced a case of appendicitis, was rushed to the hospital and the hospital could not reach the teen's mother or father to receive informal consent for the operation, the hospital would not refuse to operate under the notification requirement. It would do what was necessary to save the life of the teen. This is the standard that courts look at in determining the scope and extent of notification.

SENATOR DYSON said he was asking if they should consider a bypass or ways around other types of notification for activities that parents might frown on like drug and alcohol treatment where the child might be reluctant to admit to their parents that they had those problems.

[2:10:13 PM](#)

MR. MITTMAN replied that given the complexity of any legislation, he would have to look at what the risks of a proposal were before giving a specific answer.

SENATOR ELLIS asked if he could speak to the legal ramifications regarding the no-coercion clause of the parent or guardian to terminate the pregnancy. He noted that no prohibition exists on coercion in the other direction.

MR. MITTMAN said that coercion of any kind would be prohibited. The bill actually enacts protections that already exist in law.

[2:12:56 PM](#)

LAYANYA SEMONES, representing herself, Fairbanks, opposed HB 35. She wondered how a teen would manage all of the legalities required by this law. This law would put more teenagers in danger. You won't hear testimony today from the abusive and uninvolved parents.

SENATOR ELLIS asked how frequently she hears from young women that their parents "would kill them" or throw them out of the house.

MS. SEMONES said she is more concerned about kids like her cousins who didn't even know where their parents were.

[2:16:13 PM](#)

TAMMY WILSON, representing herself, Fairbanks, supported HB 35. She did not think it fair that her child would have the option of not speaking to her about such a significant problem.

[2:17:39 PM](#)

EILEEN BECKER, Director, Pregnancy Care Center, Homer, supported HB 35. It retains parental rights to be notified as to what is happening with their children, but kids would also have someone they could go to if they were in an abusive situation. She encouraged them to not listen to the comments of other organizations; this is something good as opposed to something bad.

SENATOR ELLIS asked if she thought a person should have to be 21 years of age to corroborate sexual abuse.

MS. BECKER replied that she thought 21 was better a better age.

[2:21:13 PM](#)

CHRISTINE FONTAINE, Project Director, Kachemak Bay Family Planning Clinic, Homer, opposed HB 35 because of her personal knowledge of young people on the Peninsula who would be affected. Who would be responsible to inform the girls of their legal rights? Who would help them through the system, which can be very intimidating? What about rural girls who don't have physical access to the system or those who may have language issues? These girls are pregnant and need health care no matter what choice is made regarding the pregnancy, and barriers should not be placed in front of them.

[2:25:11 PM](#)

JOSEPH LAPP, Kachemak Bay Family Planning Clinic, opposed HB 35, because the court system is difficult and not set up with teens in mind. { This notification would be difficult for him now, much less when he was a teen. He also was concerned about coercion regarding the abortion decision. This is another way the government intrudes into peoples' lives; it doesn't help teens. The only proven ways to reduce abortion are sex education and family planning.

[2:27:07 PM](#)

CHERYL HUMME, representing herself, Barrow, opposed HB 35. A woman's choice is hers and hers alone. What if parents and teenagers want to do different things? Are we willing to force a young woman to carry a pregnancy she doesn't want? You can't legislate healthy families or healthy communications. What works is education about healthy relations. She is happy for teens in good families who have someone to help them, but think of the teens who don't have any one to confide in.

[2:30:57 PM](#)

KALEN SAXTON, representing herself, Anchorage, opposed HB 35. She has provided parent education for over 20 years for the Center for Families. She has provided intakes and interventions of parents who abused or were in danger of abusing their children. After 40 years of experience in this field, she still supports the right of a woman or teen to end a pregnancy especially when it is due to rape or abuse.

[2:33:27 PM](#)

DEBBI JOSLIN, Eagle Forum, supported CSHB 35 although she preferred that it would include parental consent. This law puts children in the driver's seat and opens the door for predators to take advantage of them. Twenty states have some kind of notification law and one study found that parental consent reduces abortions. Parental notification laws aren't as effective. Everyone agrees that fewer abortions are better so this bill should be passed.

MS. JOSLIN mused that adoption is an option and then very little harm is done. She says the suicide rate and alcohol use is higher in girls who have abortions. As for drug abuse and other serious situations, she thought parents should be informed of everything.

[2:38:55 PM](#)

CLOVER SIMONE, Vice President, Alaska Planned Parenthood, opposed HB 35. In her clinics she generally sees that the parents accompany the child, but the ones who will be adversely affected by this bill are the most vulnerable teens in our society. She asked who in the foster care system teens would go to and was concerned about the 48 hour waiting time constraint if the choice is to terminate the pregnancy. She also worries about teens taking things into their own hands.

Last she worried about women falling victim to predators. Medical providers do participate in protecting women in these circumstances; they will not perform an abortion if there is any question of the willingness of that young woman to have an abortion. She questioned that this was the most effective way to prevent and reduce abortions.

[2:43:26 PM](#)

SENATOR ELLIS asked if she has anything more specific to offer regarding the health impacts of the waiting period or other aspects of the legislation.

MS. SIMONE answered that the concern is that it adds time to a time-sensitive procedure, and they already know that young women generally won't come to the clinic until it is a little later than most older women would. So that delay pushes them even closer to the limits of the first trimester. The earlier the procedure is done, the safer it is. She advocated education and family planning.

SENATOR DYSON said in times past officials in Planned Parenthood said funds were available for indigent young women to get a late-term abortion and asked if that was still true.

MS. SIMONE replied that an abortion loan fund is operated by another non-profit in Alaska that sometimes has funding to help women travel, but it is pretty limited.

[2:47:20 PM](#)

PAMELA SAMASH, representing herself, strongly supported HB 35. She thought required notification would create an opportunity to break the cycle of abuse, and that forcing a sexually abused girl to have an abortion benefits the abuser. She also agreed with the judicial bypass provision believing a baby is just one part of a bigger situation that the bypass would expose - thus helping to break the pattern of behavior.

[2:52:18 PM](#)

KIRSTEN STROLLE, representing herself, said she works with at-risk youth and opposed HB 35. In her experience these youth will often go to great lengths to protect their homes despite how bad things are in them. They think they are talking about hypothetical situations, but the reality is that one in ten people in the U.S. will be sexually abused in their life time. Alaska has six times the national average for childhood sexual abuse. The trauma of the abuse compounded by pregnancy with the overwhelming amount of roadblocks that this bill would place in

their way, would seem insurmountable to an adult let alone to a teen.

[2:53:41 PM](#)

PATRICIA ODDEN, representing herself, strongly opposed HB 35. She has seven children and three grandchildren and is familiar with the struggles a teenager faces with pregnancy, and can only imagine a pregnant teenager who is afraid in rural Alaska where access to lawyers and notification is much more limited than in urban settings. Traditional Native families do not live like the families that this bill assumes; she was raised by parents and spent a long time being raised by her grandmother. This is not uncommon. She wanted to see how her concern for the health and safety of teenagers in rural Alaska could be addressed.

[2:55:47 PM](#)

NANCY BISHOP, representing herself, opposed CSHB 35. She has been accepted to medical school and plans to return to Alaska to practice medicine. While she supports parental involvement in all important family decisions, she said this measure would prevent doctors from providing the best care for their patients. Despite the best intentions, laws requiring parental notification or consent for abortion in other states increase the number of later term abortions or even worse, the number of home remedies and back alley abortions.

The doctors' mandatory two-hour notifications to parents over a 24-hour period and certified letter are not in reality going to work. She said that Alaskans already face enormous obstacles in accessing health care, particularly in rural communities. She couldn't see why they would want to place another barrier in front of a teen dealing with unplanned pregnancy.

This bill (section 2 of the CS) also unclearly implies that the doctors who are helping in an emergency situation could be immediately prosecuted even if he is acting in the best interests of the teen. The passage of this bill would make her question her desire to return to Alaska to practice medicine.

[2:58:48 PM](#)

AMBER SAWYER, President, Voices for Planned Parenthood Club, UAA, opposed the CS to HB 35. She said it took her two years to tell one person that she had been raped over a period of six months at age 14 when she lived in the MatSu Valley. It took her over four and a half years and eight months of counseling just to tell her parents that she had been raped. She didn't know how she would have been able to face being pregnant and trying to

get their permission at the time - especially coming from a very conservative Catholic family.

She had a friend who she knew since she was 10 years old who was being sexually abused by her mother's boyfriend; they had reported it at school and to the police, and "she was stuck in the home for eight years after we first reported it before she was taken away from her mother." If this bill had been in effect then, her mother was so drunk and her dad was out of the country that she wouldn't have been able to get permission to have an abortion. She was the oldest of four children and was 50 lbs. underweight when she was finally taken away from her mother.

MS. SAWYER said she is 21 years old, and because of her volunteering and having siblings who are 17 and 9, she is probably more in touch with the kids in the second largest school district in the state than a lot of people they have already heard from who are parents. She knows students who got pregnant in high school when she was there who committed suicide because they could not tell their parents that they were pregnant - even if it was a product of rape. She said:

The problem with this bill is not how it will apply to each and every person, because if it goes into effect, the person that it counts, that it applies to, is the one who kills herself because she cannot be pregnant when she is 13 and she can't handle telling her parents.

The reason she used the age 13 is because she volunteers at Providence Hospital and has seen six girls who are 13 years old come through in the last nine months and have babies, including one who had twin girls who were three months premature. When her mother was asked to comment afterward, instead of saying how beautiful the babies were, the mother said, "It's her own fault; when she's 18, it's on her."

MS. SAWYER stated:

Students in Alaska, especially teenage girls, already face enough issues. I have lost count of how many I have seen at the University from in and outside of Alaska who were sexually abused including members of my club and members of "The Students for Life."

It's not a matter if you're against abortion or for abortion with this bill. It's what to do for kids

living and being able to get to the point where they can tell their parents on their own....This bill is just causing problems and is asking for even more trouble than our state already has in sexual assault and rape.

[3:03:26 PM](#)

ANTHONY FISHBACK, representing himself, opposed the CS to HB 35. He is a father of two children. In a remote village in 1998 a co-worker's 14 year old sister became pregnant and did not know what do, so she put a walrus butchering-knife to her belly and tried to remove the child. Both survived for two years. Two years after the toddler died of complications, she committed suicide.

[3:05:25 PM](#)

DONNA STARK, representing herself, opposed the CS to HB 35. Asking underage girls to go before the court to explain their situation is a direct violation of their right to privacy, she stated. She directed the committee's attention to the state website about informed consent regarding abortion that everyone must read and sign that they have looked at before they can get an abortion. The section about abortion methods, under abortion risks, states that "generally speaking, the earlier an abortion is performed, the safer it is for the woman. The risk of complications increases with advancing fetal age." This applies directly to the judicial bypass situation where time is going to be wasted when a girl could have her abortion as early as possible without infringing upon her privacy.

Alaskan health care providers are already required to report situations where children are being abused, raped, and incest. Having people go to court including the victimizer afterwards would be appropriate.

[3:08:14 PM](#)

RICK SICKMA, representing himself, Sitka, supported the CS to HB 35. This bill has nothing to do with parental violence; it has to do with parental control of their families. He has a daughter-in-law who was 13 years old when she went through an abortion. She still has problems because they didn't properly inform her and didn't tell her parents. If her parents had known, she never would have had that abortion and today she would probably have a healthy child.

MR. SICKMA said he has been the president of the crisis pregnancy center in Fairbanks for 10 years and had to deal very

often with young women who had abortions. Every one of them without exception either tried to commit suicide or thought about it.

3:10:06 PM

LISA EGAN, representing herself, totally opposed HB 35. She is a former high school teacher at JDHS and taught for the Choice Program, the program for students at risk of not graduating. She is a mother and she is pregnant.

Her biggest motivation in testifying today is her experience gained by being a teacher. As a teacher she knows it is really hard to get a hold of parents. What doctor has the time or will take the time to do that; and who will pay for it?

Some of the kids she taught went for days without knowing where their parents were - whether they were supportive or not. She said that kids do tell her that their parents will throw them out of the house if they tell them about being pregnant. She has had students who would get very upset if they have to stay after school because, as she found out two years later, they had to be home to protect their siblings from abuse. A lot of times they don't tell about abuse, because they know they would get taken away and then they wouldn't be able to protect their younger siblings.

MS. EGAN also clarified that the Teen Health Center can provide a prescription for birth control, but not the medication. The Teen Health Center at the High School is a great thing and more of them are needed. More access to birth control is needed.

The time constraints in this bill are very real and. In her own pregnancy, she tried to get some tests that she couldn't get because she couldn't get an appointment in time - and this is in Juneau. If we can't get things done in a timely manner here, it's not going to happen rurally either.

Also, some people are saying there is harm done if you have an abortion, but if you don't have an abortion, no harm is done. But it's not easy creating a healthy child while you are pregnant. A parent told her that she didn't really want "that kid" so she drank and drank thinking it would make her have a miscarriage, but it never worked. "He just kept living." That's not a healthy situation. Teens who don't want a pregnancy are not going to take vitamins. "So, you can't just say it's healthy if you force someone to have a baby, because it takes a lot of work."

She asked what their motivation was for passing this bill. Every parent already has the right to talk to their kids about sex, abortion and birth control, she said. Then she asked them when the last time was they did that or their constituents.

[3:16:03 PM](#)

SENATOR ELLIS asked if she thought this would increase the problem of homeless youth, because that would present a potential social services impact which is the under the purview of this committee.

MS. EGAN replied that from her experience in the CHOICE program, definitely yes. That happens often and she has had it confirmed by many parents who have told her they have said that to their kids whether they decided to have an abortion or not. Many of her students were "couch surfing." That is one of the main reasons she quit teaching.

[3:17:39 PM](#)

DAVID ROGERS, representing himself, said he is the father of 13 children and supported HB 35. His wife made it clear during her all her pregnancies that if her life was on the line during the birthing process, the child was to be saved first.

He had a sister-in-law who became pregnant as a teenager and she had a hard time telling her parents. When she did tell them, they advised her they would put the child up for adoption. He and his wife asked her to keep the child. She ended up keeping the child and about a month ago that child joined the Marine Corp. She is now the proud mother of five children. It was hard to raise that child at the time, but it was the right decision, and the regret she would have had would have been impossible for her to live with. He concluded:

These are children that are being killed; it is America's genocide that is going on right now. If we don't deal with this, I don't see how God is going to bless this country the way we constantly ask him to.

[3:21:06 PM](#)

SUSAN REEVES, representing herself, opposed HB 35. She did not support parental notification. She is the mother of three children and will be intensely involved with their upbringing. She will be speaking them about intelligent decisions and if they feel the need to make a decision like this, she would support them and be a part of it. But she hoped that if other

children who don't have supportive parents and are in different situations would be able to have the right to make this decision on their own. She feared what they would be dealing with afterwards if this bill passed.

[3:22:13 PM](#)

LAURA HORNING, representing herself, supported CSHB 35. She said this bill doesn't debate the merits of abortion; the real debate is does the child have a right to keep a huge potentially dangerous secret from her parents or does the parent have a right to know when their child is having a major surgery of abortion. Every other medical treatment requires a parent's signature. It's simply logical. When a child is faced with a decision of this magnitude, she is not going to make it alone. She will seek the advice of someone and most likely an adult.

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CHAIR DAVIS closed public testimony on HB 35. She said the bill needs further work and is willing to hold a hearing tomorrow. She asked the members to comment.

[3:24:44 PM](#)

SENATOR DYSON said this bill has had considerable work in the other body. He moved to discharge HB 35 from committee with individual recommendations. He stated that he is happy with its current form. "It's well done, but there will be more time for the work to be done in Judiciary."

CHAIR DAVIS expressed the view that the bill needs further work. As Chair of this committee she hasn't had the opportunity to provide input and she isn't ready to move it.

SENATOR ELLIS said it's clear that the health and social service impacts of this legislation have not been adequately addressed. "I would want more work to be done on those two things that are the purview of this committee."

CHAIR DAVIS asked if there was objection to moving HB 35 from committee.

SENATOR ELLIS objected to the motion.

A roll call vote was taken. Senator Dyson voted yea; Senators Ellis, Thomas, Paskvan and Davis voted nay; therefore, CSHB 35(FIN)(CT RULE FLD)(EFD FLD) failed to move from committee.

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There being no further business to come before the committee,
Chair Davis adjourned the meeting at 3:27 p.m.