

SB

24

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 2/21/97

FURTHER: REPORTED OUT OF
CFC 3/12/97

DATE TURNED
IN TO OFFICE: 3/14/97

Finance Committee considered

SENATE BILL NO. 24

PARENTAL CONSENT BEFORE MINOR'S ABORTION

and recommends:

- be replaced with _____ CS SB 24 (FIN)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill:**
- same title
- new title
- House Bill:**
- same title
- technical change
- new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>ROD E. PPO</i>	✓	<i>Jan P. Parvill</i>			✓
<i>John Ingraham</i>	✓	<i>Carl & Jan</i>		X	
		<i>Peace</i>	✓		
Co-Chair:		Co-Chair:			
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

Alaska Court System	3/10		10.0
H&SS, Med. Assist	2/26	∅	

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

DOA/OPA	1/28		168.0
DOA/PDA	1/28	∅	
H&SS, State Health	2/26	∅	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. CSSB 24(FIN)

Revision Date: _____
 Title: "An Act relating to a requirement that a parent, guardian, or custodian consent before certain minors receive an abortion..."
 Sponsor: Senator Leman
 Requestor: (S) FIN

Department Affected: Administration
 BRU: Office of Public Advocacy
 Component: Office of Public Advocacy
 COMPONENT SERIAL NO. 43

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	84.0	84.0	84.0	84.0	84.0	168.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	84.0	84.0	84.0	84.0	84.0	168.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	84.0	84.0	84.0	84.0	84.0	84.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	84.0	84.0	84.0	84.0	84.0	84.0

Estimate of any current year (FY 97) cost: \$ 0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

The judicial bypass provisions of this bill contemplate a hearing at which an unemancipated minor aged 15 or under may seek the court approval of her wish to have an abortion. The bill mandates the appointment of counsel for the minor through the Office of Public Advocacy (OPA). This fiscal note is based on the following assumptions: (1) 2,400 abortions per year are performed in Alaska; (2) 12% of abortions per year (288) are performed on women aged 17 or younger; (3) 39% of young women (112) wishing to obtain an abortion would seek a judicial bypass, based on the fact that 61% of parents are informed of abortions in those states which do not require parental notice or consent.

(continued)

Prepared by: Brant McGee, Public Advocate
 Division: Office of Public Advocacy

Phone: 269-3500
 Date: _____

Approved by Commissioner: Mark Bover
 Agency: Administration

Alison M. Elgee
 Date: 3/18/97

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FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. CSSB 24(FIN)

ANALYSIS: (continued)

This office has located no data regarding the number of abortions performed on females aged 15 or younger. We have, therefore, further assumed that this group represents approximately half of minor women. Thus, OPA could be expected to provide attorney representation to 56 young women each year in judicial proceedings in which the minor sought to obtain approval of an abortion. The legal representation in these cases would be short but intense. The Office of Public Advocacy estimates that such services would cost an estimated \$1,500 per case for a total of \$84.0 per year.

FISCAL NOTE

REPORTED OUT OF
3/12/97

BILL NO. CSSB 24 (JUD)

STATE OF ALASKA
1997 LEGISLATIVE SESSION

Revision Date: 03/10/97
Title: Parental consent before a minor's
abortion
Sponsor: Sens. Leman, Halford, Green, Miller, Taylor
Requestor: Senate HESS

Dept. Affected: Alaska Court System
BRU: Trial Courts
Component: _____
COMPONENT SERIAL NO. 768

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES	10.0	10.0	10.0	10.0	10.0	10.0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	10.0	10.0	10.0	10.0	10.0	10.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (
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Fund Source (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	10.0	10.0	10.0	10.0	10.0	10.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	10.0	10.0	10.0	10.0	10.0	10.0

Estimate of any current year (FY 97) cost: None

Positions

Full-Time						
Part-Time	1.0	1.0	1.0	1.0	1.0	1.0
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See attached fiscal analysis.

Prepared by: C. S. Christensen III, Staff Counsel *CSC*
Agency: Alaska Court System

Phone: 264-8228
Date: 03/10/97

Approved by: Stephanie J. Cole, Acting Administrative Director *SJC*
Agency: Alaska Court System

Date: 03/10/97

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ALASKA COURT SYSTEM
FISCAL ANALYSIS
CSSB 24 (JUD)

CSSB 24 (JUD) provides that a person may not knowingly perform an abortion upon a woman who is unmarried, under 18 years of age, and unemancipated, unless, before the abortion, one of the woman's parents or the woman's guardian or custodian has consented to the abortion in writing; a court issues an order authorizing the woman to consent to the abortion; or a court, by its inaction, constructively authorizes the woman to consent to the abortion. A woman who seeks a court order authorizing an abortion is required to have an attorney. If she cannot afford an attorney, one must be appointed by the court from the Office of Public Advocacy (OPA). Because we are dealing with unemancipated minors, it must be assumed that all attorneys will be paid for by the state. OPA has estimated that 112 minor females will seek judicial approval for an abortion each year.

CSSB 24 (JUD) requires a superior court judge to hold a hearing in these cases on an expedited basis. This note assumes that the review of documents, the hearing, the decision process and the preparation of the order will average two hours of judicial time. This note also reflects clerical costs associated with processing 112 filings which involve expedited hearings and which require court clerks to actively follow cases to make certain that time limits are met and that constructive consent has been given in cases in which a court takes no action within the specified period. This note does not reflect costs for expedited appeals in cases where a court denies permission for an abortion, nor does it reflect costs for the preparation of special forms and instructions required by the bill.

Personal Services

	Salary	Benefits	Total
Pro tem superior court judge, fully vested, Anchorage, PPT 224 hours	\$2,919	\$1,595	\$4,514
Clerical overtime for 224 hours for range 10A (see note below)			5,473

Total Personal Services

\$9,987

Note:

This bill will require clerical (range 8) and legal technician (range 12) services. The average range of the two levels is approximately range 10, which was used for estimating the clerical overtime costs of this legislation.

Revision Date: _____
 Title: Relating to parental consent before
certain minors receive an abortion
 Sponsor: Leman
 Requestor: Senate Finance

Dept. Affected: Health and Social Services
 BRU: Medical Assistance
 Component: Medicaid Non-Facility
 COMPONENT SERIAL NO. 229
 See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY97) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

Enactment of this legislation would have very little impact on the funding of abortions under the General Relief Medical Assistance and Medicaid Programs. Very few abortions funded by these programs are performed on minors.

Prepared by: Nancy Weller
 Division: Medical Assistance
 Approved by Commissioner: Karen Perdue, Commissioner
 Agency: Department of Health & Social Services

Phone: 465-5825
 Date: 02/24/97
 Date: 2/26/97

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STATE OF ALASKA
1997 LEGISLATIVE SESSION

Bill Version: CSSB 24(JUD)
(S) Publish Date: 3-5-97

Revision Date: _____
Title: Parental Consent for Abortion
Sponsor: Leman
Requestor: Senate (JUD)

Dept. Affected: Health and Social Services
BRU: State Health Services
Component: Public Health Admin Services
COMPONENT SERIAL NO. 292
See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY97) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: Peter M. Nakamura, MD, MPH
Division: Public Health
Approved by Commissioner: Karen Perdue, Commissioner
Agency: Department of Health & Social Services

Phone: (907) 465-3090
Date: 02/25/97
Date: 2/26/97

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FISCAL NOTE

No. 3

STATE OF ALASKA
1997 LEGISLATIVE SESSION

Bill Version: SB 24

(S) Publish Date: 2-3-97

Revision Date: _____

Department Affected: Administration

Title: "An Act relating to a requirement that a parent, guardian, or custodian consent before certain minors receive an abortion..."

BRU: Public Defender Agency

Component: Public Defender Agency

Sponsor: Senator Leman

Requestor: (S)HESS

COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHLR						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 97) cost: \$ 0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

The bill would require parental, guardian or custodian consent in writing before an abortion for an unmarried, pregnant unemancipated woman under 18 years of age. A judicial process is set up to bypass the consent requirement by the filing of a complaint in superior court. A lawyer shall be appointed to represent the complainant if she has not retained an attorney, but Section 5 of the bill provides those lawyers will be from the Office of Public Advocacy. Therefore, there will be no fiscal impact on the Public Defender Agency.

Prepared by: Barbara K. Brink, Acting Director

Phone: (907) 264-4414

Division: Public Defender Agency

Date: _____

Approved by Commissioner: Mark Boyer

Date: 1/28/97

Agency: Department of Administration

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FISCAL NOTE

No. 2

STATE OF ALASKA
1997 LEGISLATIVE SESSION

Bill Version: SB 24

(S) Publish Date: 2-3-97

Revision Date: 1/28/97 3:30 pm.
 Title: "An Act relating to a requirement that a parent, guardian, or custodian consent before certain minors receive an abortion..."
 Sponsor: Senator Leman
 Requestor: (S) HESS

Department Affected: Administration
 BRU: Office of Public Advocacy
 Component: Office of Public Advocacy

COMPONENT SERIAL NO. 43

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	168.0	168.0	168.0	168.0	168.0	168.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	168.0	168.0	168.0	168.0	168.0	168.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	168.0	168.0	168.0	168.0	168.0	168.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	168.0	168.0	168.0	168.0	168.0	168.0

Estimate of any current year (FY 97) cost: \$ 0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

The judicial bypass provisions of this bill contemplate a hearing at which an unemancipated minor may seek the court approval of her wish to have an abortion. The bill mandates the appointment of counsel for the minor but does not identify which agency would provide these services. This fiscal note assumes that Office of Public Advocacy (OPA) would be appointed because that agency currently represents children in most other civil cases. The fiscal note is based on the following assumptions: (1) 2,400 abortions per year are performed in Alaska; (2) 12 percent of abortions per year (288) are performed on women aged 17 or younger; (3) 39 percent of young women (112) wishing to obtain an abortion would seek a judicial bypass, based on the fact that 61 percent of parents are informed of abortions in those states which do not require parental notice or consent.

(continued)

Prepared by: Brant McGee, Public Advocate
 Division: Office of Public Advocacy

Phone: 274-1684
 Date: _____

Approved by Commissioner: Mark Bover
 Agency: Administration

Date: 1/28/97

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FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. SB 24

F2

ANALYSIS: (continued)

Thus, OPA could be expected to provide attorney representation to 112 young women each year in judicial proceedings in which the minor sought to obtain approval for an abortion. The legal representation in these cases would be short but intense. The Office of Public Advocacy estimates that such services would cost an estimated \$1,500 per case for a total of \$168.0 per year.

FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

Bill. ersion: SB 24
 (S) Publish Date: 2-3-97

Revision Date: _____ Dept. Affected: Alaska Court System
 Title: Parental consent before a minor's BRU: Trial Courts
abortion Component: _____
 Sponsor: Sen. Leman
 Requestor: Senate HESS COMPONENT SERIAL NO. 768

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES	10.0	10.0	10.0	10.0	10.0	10.0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	10.0	10.0	10.0	10.0	10.0	10.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ()						

Fund Source (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	10.0	10.0	10.0	10.0	10.0	10.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	10.0	10.0	10.0	10.0	10.0	10.0

Estimate of any current year (FY 97) cost: None

Positions

Full-Time						
Part-Time	1.0	1.0	1.0	1.0	1.0	1.0
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See attached fiscal analysis.

Prepared by: C. S. Christensen III, Staff Counsel *CC* Phone: 264-8228
 Agency: Alaska Court System Date: 01/28/97

Approved by: Arthur H. Snowden, II, Administrative Director *AS* *AS* Date: 01/28/97
 Agency: Alaska Court System

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ALASKA COURT SYSTEM
FISCAL ANALYSIS
SB 24

SB 24 provides that a person may not knowingly perform an abortion upon a woman who is unmarried, under 18 years of age, and unemancipated, unless, before the abortion, one of the woman's parents or the woman's guardian or custodian has consented to the abortion in writing; a court issues an order authorizing the woman to consent to the abortion; or a court, by its inaction, constructively authorizes the woman to consent to the abortion. A woman who seeks a court order authorizing an abortion is required to have an attorney. If she cannot afford an attorney, one must be appointed by the court from the Office of Public Advocacy (OPA). Because we are dealing with unemancipated minors, it must be assumed that all attorneys will be paid for by the state. OPA has estimated that 112 minor females will seek judicial approval for an abortion each year.

SB 24 requires a superior court judge to hold a hearing in these cases on an expedited basis. This note assumes that the review of documents, the hearing, the decision process and the preparation of the order will average two hours of judicial time. This note also reflects clerical costs associated with processing 112 filings which involve expedited hearings and which require court clerks to actively follow cases to make certain that time limits are met and that constructive consent has been given in cases in which a court takes no action within the specified period. This note does not reflect costs for appeals in cases where a court denies permission for an abortion.

STATE OF ALASKA
1997 LEGISLATIVE SESSION

Bill version: SB 24

(S) Publish Date: 2-3-97

Revision Date: _____
Title: Relating to parental consent before
certain minors receive an abortion
Sponsor: Leman
Requestor: _____

Dept. Affected: Health and Social Services
BRU: Medical Assistance
Component: Medicaid Non-Facility
COMPONENT SERIAL NO. 229
See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGES						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY97) cost: 30.0

ANALYSIS: (Attach a separate page if necessary)

Enactment of this legislation would have very little impact on the funding of abortions under the General Relief Medical Assistance and Medicaid Programs. Very few abortions funded by these programs are performed on minors.

Prepared by: Nancy Weller
Division: Medical Assistance

Phone: 465-5823
Date: 01/10/97

Approved by Commissioner: Karen Perdue, Commissioner
Agency: Department of Health & Social Services

Date: 1/24/97

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not offered

SENATE FINANCE
COMMITTEE

0-LS0210VE.2
Lauterbach
3/12/97

Amendment Number: 5
Bill Number: CSSB 24(JUD)
Sponsor: _____ Date: 3/12/97
Logged In By: J. Soltani

A M E N D M E N T

OFFERED IN THE SENATE
TO: CSSB 24(JUD)

BY SENATOR PEARCE

- 1 Page 1, line 5, following ";":
- 2 Insert "relating to parental responsibility for minors and the minor's children;"

- 3 Page 8, following line 19:
- 4 Insert a new bill section to read:
- 5 "* Sec. 5. AS 25.20 is amended by adding a new section to read:
- 6 **Sec. 25.20.035. Duty to maintain child and grandchild.** In addition to a
- 7 parent's liability to maintain a child under AS 25.20.030, a parent has the duty to
- 8 maintain the parent's child and the child's children until the parent's child becomes
- 9 18 years of age or is emancipated under AS 09.55.590."

- 10 Renumber the following bill sections accordingly.

A M E N D M E N T

OFFERED IN THE SENATE

TO: CSSB 24(JUD)

BY SENATOR PHILLIPS

SENATE FINANCE
COMMITTEE

Amendment Number: 1
Bill Number: CSSB 24 (JUD)
Sponsor: _____ Date: 3/10/97
Logged In By: J. Soltau

- 1 Page 2, line 26:
- 2 Delete "18"
- 3 Insert "16"

- 4 Page 2, line 30:
- 5 Delete "18"
- 6 Insert "16"

- 7 Page 3, line 13:
- 8 Delete "18"
- 9 Insert "16"

- 10 Page 3, line 30:
- 11 Delete "18"
- 12 Insert "16"

- 13 Page 4, line 10:
- 14 Delete "18"
- 15 Insert "16"

- 16 Page 4, line 18:
- 17 Delete "18"
- 18 Insert "16"

- 19 Page 8, line 14:

- 1 Delete "18"
- 2 Insert "16"

give to Jere —
for official
record.

3/10

This is only in our
official file as per above
instructions.

SB 24



STATE OF ALASKA
LEGISLATIVE AFFAIRS AGENCY
DIVISION OF PUBLIC SERVICES

DATE: 3/10/97

Please accept the enclosed original(s) of written testimony for the Senate Finance teleconference hearing that was scheduled on 3/11/97.

A copy of this testimony was transmitted to your committee via fax on 3/10/97.

Thank you,

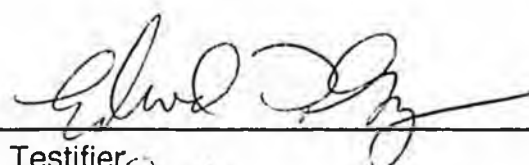
LEGISLATIVE AFFAIRS AGENCY
Sitka Legislative Office
210 Lake Street
Sitka, Alaska 99835
747.8275



Alaska State Legislature

Please enter into the record my testimony to the Senate Finance Committee
 committee name
 committee on S.B. 24, dated 3-10-97
 bill/subject

a minor Contemplating an Abortion, whose custody is in the hands of an adult or adults, demands their involvement in such a decision. IT is UNCONCIONABLE to believe Adults other than the parents should be responsible for the final Council. Our Society CANNOT bear the Upsweeping of parental rites + responsibilities.

Signed:  (EDWARD T. GRAY)
 Testifier Self
 Representing (Optional)
PO Box 6378, S. AKA, AK. 99835
 Address
747-7880
 Phone No.



STATE OF ALASKA

LEGISLATIVE AFFAIRS AGENCY

DIVISION OF PUBLIC SERVICES

DATE: 3/10/97

Please accept the enclosed original(s) of written testimony
for the Seniors Finance teleconference hearing that was
scheduled on 3/11/97.

A copy of this testimony was transmitted to your committee via
fax on 3/10/97.

Thank you,

LEGISLATIVE AFFAIRS AGENCY
Sitka Legislative Office
210 Lake Street
Sitka, Alaska 99835
747-6276

Alaska State Legislature

Please enter into the record my testimony to the Senate Finance Committee on S.B. 24, an Act relating o Parental Consent Before a Minor Receives an Abortion dated Tues. March 11 at 9 am.

I support **S.B. 24** because a minor does not have enough mature judgment to make this important decision. I also question the motives of anyone who would influence a minor to have an abortion with-out first consulting with their parents. It is a sad but true fact that women are some times abused before, during, and after the procedure. This abuse is most often committed on minors receiving abortions with out parental consent, because the abortionist know that a minor receiving an abortion would be afraid to complain to their parents or any other authority

Who in a minors life would be with her daily to watch for problems stemming from the abortion if her parents have no idea one has been performed? Remember there are often problems that need medical attention that she might not recognize as such.

Over 30 valid studies have confirmed the link between an aborted first pregnancy and breast cancer when they reach their 40s. How will the state deal with the monetary costs and the pain if minors are not given the protection of parental consent?

Please vote for S.B. 24. Thank You.

Signed Virginia C. Phillips
Testifier

Natl Right to Life Spokesman for American women
Representing(Optional) and Alaska natives

404 LAKE ST., 2-D, SITKA
Address

907-747-8024
phone



STATE OF ALASKA
LEGISLATIVE AFFAIRS AGENCY
DIVISION OF PUBLIC SERVICES

RECEIVED
MAR 12 1997

DATE: 3/11/97

Please accept the enclosed original(s) of written testimony
for the Senate Finance teleconference hearing that was
scheduled on 3/11/97.

A copy of this testimony was transmitted to your committee via
fax on 3/11/97.

Thank you,

LEGISLATIVE AFFAIRS AGENCY
Sitka Legislative Office
210 Lake Street
Sitka, Alaska 99835
747-6276

Please enter into the record my testimony to the Finance Committee on Senate Bill 24, concerning parental consent before a minor can receive an abortion, dated March 11, 1997.

Dear Sirs:

In my copy of Senate Bill Number 24, point number seven under Section 1, Purpose and Findings, states, "parental involvement legislation enacted in other states has shown to have a significant effect in reducing abortion, birth, and pregnancy rates among minors." This finding impacts our state's finances. It follows that if there are less abortions, then there should also be less need for funding for abortions.

However, as the other six points indicate, there is more involved than just reducing the number of abortions. We also need to consider the cost we will incur if we fail to preserve our traditional family structure. Through out history, no society has found any social structure to care for its young that is as efficient or cost effective as the family unit. Therefore, it is to the state's financial advantage to foster and to preserve this family structure. I will conclude my testimony by repeating the testimony which I submitted on March 5, 1997 to the Judiciary Committee concerning House Bill Number 37.

"I feel it is wise for our state's laws to require parental consent before minors may receive an abortion.

In school we were taught that our United States has many levels of government: federal, state, municipal, church, family, and the individual. Each level of government has its defined realm of jurisdiction. If however, some of its authority is usurped by another level, then its ability to govern is to that measure diminished.

Traditionally, American parents have been responsible for the well being, training, and guidance of their children. It is only when the children are no longer minors that the children become responsible for governing their own affairs as responsible, law-abiding citizens. The traditional family unit provides needed guidance and protection for the minor child until he or she becomes mature enough to make wise decisions.

If a higher level of government, in this case our state, whether intentionally or unintentionally, undermines parental authority, by allowing a minor to act independently of her parent's consent; then that government diminishes the family unit's ability to govern its members effectively. It contributes to the family unit's dysfunction.

Can we afford to weaken our families? Can we afford to have such a basic building block to the foundation of our social structure become dysfunctional? No, we cannot.

I believe it is essential to the survival of our country for every level of government to preserve the family. I also believe it is in the best interest of every child to insure that their parents will always have a voice in their minor's choices and actions. Therefore, it is necessary for the State of Alaska to require parental consent before a minor can legally receive an abortion."

Please pass this bill that requires parental consent before a minor may receive an abortion.

Thank you.

Sincerely,

Yvonne Corduan
Yvonne Corduan
712 Monastery Street
Sitka, Alaska 99835
(907)747-2634

Please, enter into the record my testimony to the Senate Finance Committee on SB 24, dated March 11, 1997.

Dear Sirs,

In the great State of Alaska, as is common in practically all of our country, a school nurse cannot provide even over-the-counter medication to an obviously ailing child without the approval of the parent or guardian. And yet, some people want to allow a much more serious medical procedure, one which has long term physical and psychological consequences, without the knowledge and consent of the person or persons responsible for the every day welfare of the child.

I am firmly convinced that the State of Alaska has better ways to invest its financial resources than in the termination of the life of its yet unborn citizens.

While some folks might claim that we decrease our welfare rolls by terminating the pregnancy of "unwanted" children, that is certainly only an assumption. Would it not be better to give these unborn citizens an opportunity to become productive citizens. By killing them we certainly make sure that they will never be unproductive members of our society. But can we truly pass judgment without evidence. Why do we pass the death sentence on a person who has not committed any crime. Why do we pass the death sentence on a person whose parents were immature and have made a bad mistake.

Please, pass the bill that will allow parents and guardians to protect their minor children from their own immaturity and stop the killing of Alaska's greatest resource, i.e. babies who will become the future citizens of our State.

Thank you for allowing me to address you on this important issue.

Sincerely,



Wolfgang Corduan
712 Monastery Street
Sitka, Alaska 99835
(907) 747-2634



STATE OF ALASKA
LEGISLATIVE AFFAIRS AGENCY
DIVISION OF PUBLIC SERVICES

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Please accept the enclosed original(s) of written testimony
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LEGISLATIVE AFFAIRS AGENCY
Sitka Legislative Office
210 Lake Street
Sitka, Alaska 99835
747-6276

March 11, 1997

To: SENATE FINANCE COMMITTEE

Re: SB 24 Parental consent for minors' abortions

Please enter my testimony at the hearing held this date.

I oppose SB 24.

If you pass this bill on, please include a fiscal note providing for the support of the girls and the unwanted children that might result. Also require the impregnators, who are often men over 21 years of age, to be responsible financially.

This bill is punitive to minor girls, and permissive to men who prey upon them sexually.

Please do not pass it.

Thank you for your attention.

Sincerely,

Natasha I. Calvin

Natasha I. Calvin

PO Box 2966

Sitka, Alaska 99835

(907) 747-8950

EMERGENCY INSTRUCTIONS FOR EMPLOYEES UPON SOUNDING OF FIRE ALARM

1. Keep Calm - DO NOT panic or panic others.
2. Quickly terminate your telephone call or activities. Progress immediately to your emergency exit. Take coat and purses ONLY if they are convenient.
3. Walk rapidly - DO NOT run.
4. Before opening doors - feel the door, if hot - do not open. Choose alternate route.
5. If caught in smoke, immediately drop to the floor, crawl along the floor where the air is cooler, take short breaths and breath through your nose.
6. Once out of the building proceed quickly and carefully to your staging area. Stay out of the firefighters way.

A.) STAGING AREAS:

GROUND FLOOR:	Courthouse Courtyard
1ST FLOOR:	School Playground behind Capitol Bldg.
2ND FLOOR:	School Playground behind Capitol Bldg.
4TH FLOOR:	School Playground behind Capitol Bldg.
5TH FLOOR:	School Playground behind Capitol Bldg.

7. If possible, close door behind you.
8. First Aid Kits are located in:
 - Boiler Room
 - Supply Room
 - Senate Chambers
 - House Chambers

*I have small first-aid kit
in my bottom drawer.*

CHIEF FIRE WARDENS
ARE RESPONSIBLE FOR:

- 1.) Once alarm bell sounds, check the time of day, and record is as soon as practical.
- 2.) Progress immediately with clip board to your designated outside area. Clipboard will be kept in a state of "readiness" which requires unused Evacuation Report Forms and a pen or pencil secured to the board.
- 3.) Upon evacuation of the building, Fire Wardens will report directly to you, reporting their name and room assignments, and if any people are waiting in stairwells, unevacuated areas, and any other problems.
- 4.) When all areas have reported in, proceed to the fire truck and report any uncleared and/or problems. Leave clipboard at the first location with your partner Chief Fire Warden. If your partner is absent this day, designate a replacement.
- 5.) Upon receiving the "all clear" sign or signal from a uniformed fire person or building maintenance person, respond to predetermined meeting place for a short meeting, approximately 15 minutes, with all Fire Wardens and the Building Manager to critique the event. The meeting area will be in the Butrovich Room.

FIRE WARDENS

Each half of the Ground, 1st, 2nd, 4th, and 5th floor will have two persons designated as Fire Wardens and One Chief Fire Warden. It is the responsibility of these individuals to guide and/or direct the persons on their respective area out of the building. Once out of the building the Fire Warden shall direct their evacuees to the pre designated staging area. The following are the designated staging areas:

GROUND FLOOR:	Courthouse Courtyard
1st, 2nd, 4th, and 5th Floors:	Playground behind Capitol Bldg.

Fire Wardens will be appointed at the beginning of each Legislative Session by the Building Manager. At the end of each Legislative Session these positions will be updated by the Building Manager. The Fire Wardens for each floor are identified on the following pages.

FIRE WARDENS ARE RESPONSIBLE FOR:

Maintenance Items:

1. Inform all employees of their emergency exits and egress route.
2. On a daily, touring basis, keep corridor doors and stairwell doors closed. Keep and maintain clear exit paths with no obstruction.
3. Be familiar with location and fire extinguisher in your area and whether it is operational.

Emergency Procedures:

1. Supervise the evacuation of your designated area. Check restrooms and private offices to be certain all have evacuated. Get people moving.
2. Monitor exits to assist in merging traffic with the people already in stairwell. Fire Escape Stairway.
3. Ensure office doors are closed after floor is evacuated.
4. Once outside the building, notify Chief Warden of location of any person who may be waiting in main stairwell. Report your division, section, your name, and area responsible for. Chief Fire Wardens will be holding clipboards with a brilliant "X" on the back.
5. You are responsible to ensure that the building occupants are well away from the building and off the stairs, so as not to hamper fire department access.
6. After "all clear" signal has been given to reenter the building, you will respond to the Butrovich Room for a brief (approximately 15 minutes) meeting with Fire Wardens and the Building Manager to critique the event.

Alaska State Legislature

Please enter into the record my testimony to the Senate Finance Committee on S.B..24 relating to Parental Consent before a Minor receives an Abortion with a Judicial By-pass, Dated March 11, 1997 at 9 am.

I support S.B. 24

I want to talk about facts, sense and fiscal responsibility as well as compassion for minor women.

Fact:

1. The States pays for minors abortions with out parental consent.
2. Minors are capable and have multiple abortions every year.
3. Abortions are expensive.
4. The Journal of American Medicine, July 21, 1993 and The New England Journal of Medicine, January, 1994 reported the ~~isa~~ Deadly After-Effect of Abortion: Breast Cancers in women who abort their first pregnancy
5. True, true breast cancer does not show-up until the women is in her 40s.
6. There are more than 30 valid studies supporting this sad fact and only the self admitted flawed Swedish study is quoted by Pro-Abortion advocates.
7. Many parents will give their consent. *parents make relatives responsible for the 1.9 billion to get rid of the*
Sense:
presence of P.F. by abortion

1. It is nonsense for the state to pay for these abortions.
 - a. they are expensive.
 - b. the state is sentencing these minors to a death sentence
2. Being pregnant only shows that a minor is not capable of making common sense decisions.
3. Actions have consequences; for the minor as well as the State.
4. Let the parents be responsible for their children now and for their future.



Alaska State Legislature

Please enter into the record my testimony to the FINANCE COMMITTEE
 committee name
 committee on SB 24, dated 2/11/97
 bill/subject

The Republican Party of Alaska supports SB 24 and urges it's passage as a necessary means to constitutionally effectuate the state policy first enacted in 1970 in AS 08.64.010.

Parental consent, or judicial bypass review, prior to performing an abortion on an unemancipated child is a compassionate and necessary protective tool for Alaska's emotionally immature children.

Families, and adult character, are built not ont cream puff issues but through facing life's challenges. Government support of "escape hatches" which ultimately destroy families, inhibit character formation, and induce dependence, is an example of the false compassion that has brought America to the point where it has the highest abortion rate of any industrialized country.

Building families and true compassion for pregnant children strongly argues against continuing the failed policy of providing secret abortions for our children.

SB 24 is in complete accordance with the grassroots written and adopted Platform of the Republican Party of Alaska and also with the national Platform of the Republican Party, and is in accordance with the desires of the srong majority of Americans.

Signed:

PETE HALLGREN
 Testifier

CHAIRMAN, REPUBLICAN PARTY OF ALASKA
 Representing (Optional)

(Home)

Box 1203 SITKA 99835

Address

(Home)

(907) 747-6909

Phone No.

IRENE S. LOHKAMP, M.D.
BOARD CERTIFIED IN FAMILY PRACTICE



1200 AIRPORT HEIGHTS DRIVE, SUITE 278
ANCHORAGE, ALASKA 99508
TELEPHONE: (907) 272-3366
FAX: (907) 272-0269

February 16, 1997

Reference: S.B. 24

Dear Senator Leman:

I am a physician in private practice specializing in family medicine. I naturally treat many children and adolescents on a daily basis. I need parental consent in order to even evaluate a minor, much less perform a procedure.

It is totally incongruous to me that our State should allow an abortion to be performed upon an adolescent or younger child without parental consent. I have found that children even as old as 18 frequently cannot tell me their drug allergies or other details of their medical history.

Teens and preteens tend to be short sighted in highly stressful situations for many reasons, such as fear of immediate consequences, with less appreciation of long term consequences. I have counseled teens with a crisis pregnancy. Abortion at those times is a quick fix; risks seem unimportant and something that "won't happen to me."

An unemancipated teen requires parental consent to allow me to pierce their ears or take off a mole-very minor procedures which are relatively very low risk. Abortion has serious potential risks that can affect a young girl well into her adulthood. As you know, in addition to the immediate risk of infection, bleeding and perforation, there are long term effects such as the increased risk of ectopic pregnancy and infertility, and possibly even an increased risk of breast cancer-not to mention the possibility of a post traumatic stress type syndrome which frequently occurs as late as 7-12 years after abortion.

Parents must be required to consent to operative procedures performed upon their children-abortion certainly should not be an exception. There is of course judicial bypass for children who are truly endangered by parental disclosure.

There is another effect upon public health which parental consent for abortion has repeatedly caused, that should not be minimized. States which require parental consent have lower teen pregnancy rates. Isn't it time to do something that will lower the teen pregnancy rate for a change.

Sincerely yours,

Irene Lohkamp MD

Irene Lohkamp, M.D.

LOUIS E. MAYER, M.D., A.P.C.
3300 PROVIDENCE DRIVE, SUITE 301
ANCHORAGE, ALASKA 99508
TELEPHONE (907) 563-3732
FAX (907) 561-4730

LOUIS E. MAYER, M.D., A.P.C.
Diplomate, American Board of Family Practice

CHARLES E. MANWILLER, M.D.
Diplomate, American Board of Family Practice

Senator Loren Lemam
Alaska State Capitol Building
Room 115
Juneau, Alaska 99801

February 18, 1997

Dear Senator Lemam:

My name is Charles Manwiller, M.D. I have practiced medicine in Anchorage since 1965; I delivered babies until ten years ago. I am a family doctor.

I am writing to state my position on Senate Bill 24. It is my understanding that this bill will facilitate the involvement of parents in the decision of a teenage girl (under age 18) to have an abortion. I am in favor of this legislation for the following reasons:

1. An abortion is not without potential complications. A girl's parents have a responsibility to know about and approve a procedure which has medical and emotional impact on a minor daughter.

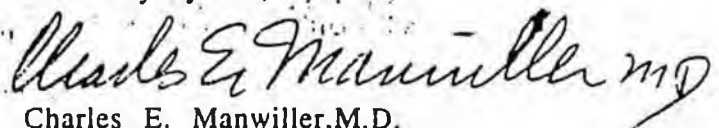
2. Confidentiality between child and parent, though applicable in the arena of sexually transmitted disease, should be waved in abortion. The parents need to know. Abortion involves the destruction of human life. The unborn baby might have infinite value as a future member of the family.

3. I propose that avoidance of parental involvement at this critical time in a teenager's life, while at the moment seemingly less threatening to the pregnant teen, ultimately is more divisive than constructive in the parent-daughter relationship.

4. Medical personnel are quite concerned about obtaining parental consent before treating a minor in almost every situation. Should an event containing the profound significance of an abortion be any less deserving of parental approval?

Thank you for your concern regarding this important family related issue.

Sincerely yours,


Charles E. Manwiller, M.D.

Robert G. Thompson, M.D., F.A.C.O.G.

*Reproductive Surgeon - Society of Reproductive Surgeons
Diplomate - American Board of Obstetrics and Gynecology*

FAX: (907) 465-3973

Catherine A. Thompson, R.N., M.S.N.

Advanced Nurse Practitioner

February 18, 1997

The Honorable Loren Leman
Senator - State of Alaska
Juneau, Alaska 99811

ATTENTION: Mike Pauley

Re: Written Testimony
SB 24 and HB 37

Dear Senator Leman and Judiciary Committee Members:

My name is Robert Thompson. I am a physician and surgeon specializing in obstetrics, gynecology, infertility, and reproductive surgery. I've read numerous other testimonies of other physicians, colleges, societies, and organizations regarding the issue of parental consent for minors before proceeding with an elective surgical procedure, in this case, as an "abortion." There seems to be three major objections physicians and various organizations have in regards to accepting this bill.

First, the legal obligations and consequences of violating this obligation. Being a practicing physician does not exempt physicians of the numerous and extensive responsibilities to the law and the numerous consequences for violations to such responsibility within the practice of medicine. Any argument with regards to criminalization versus aspects of practicing medicine need only to be considered in this light. It is difficult for me to understand why a surgical procedure such as abortion could have ever come to be considered an exempt procedure for parental consent when its consequences can include significant life-threatening and permanent complications which could include death, sterility, infection, and psychological difficulties. While these complications are usually considered to be fairly rare, they exist. The treatment of complications after an abortion is completed would also require parental consent, therefore, I feel it is in the best interest of a physician practicing medicine to involve a responsible guardian or parent in the consent for this surgical procedure.

The second objection involves physician concerns about breach of confidentiality. Again, this is an exceedingly weak argument and continues to be so in all levels of the practice of medicine. It remains the patient's (that is the teenager) responsibility to inform and involve the parents with regards to the diagnosis and treatment of this medical problem.

*A Professional Corporation, 4001 Dale Street, Suite 117, Anchorage, Alaska 99508
(907) 562-5328, FAX (907) 562-4363, Fertility (907) 562-3562*



Senator Loman et al:
February 18, 1997
Page Two

As a loving father, I cannot imagine not being able to be there to support and help with my daughter's decisions in this regard. While I recognize that this is not the attitude that all parents take, I have to believe it is the ideal and standard with which society should expect from parents, not an attitude of judgement.

In summary, in no place in this bill does the confidentiality of the physician/patient relationship necessarily have to be abridged by the physician. It remains the minor(s) responsibility to be involved with the parent(s) or legal guardian and the court when such a decision regarding this surgical procedure is deemed necessary.

Finally, the question which has not been completely considered is that of "informed consent." The courts have consistently upheld the right of the parents to be responsible for medical care and decisions regarding their minor child(ren) with regards to surgical procedures. In a large manner, this may be considered to be contributed to by the ability of adults to help assure adequate, informed decisionmaking. Part of becoming an adult is learning to accept the consequences of our decisions. Part of being a parent is to allow our child(ren) to begin to make decisions and to learn to accept the consequences and responsibility for those decisions. Hopefully, this bill will stand on its own merit, continuing to re-inject a balance of responsibility on physicians and parents with regards to the impact of sexuality and teenage pregnancy on our society and to begin to respond accordingly.

I hope this information is helpful and encouraging to the adoption of this bill on the simple premise that parental guidance is desirable in our society.

Very truly yours,



Robert G. Thompson, M.D., FACOG
Reproductive Surgeon

P.S. I've left out all the statistics.

League of Women Voters of Anchorage

P. O. Box 101345, Anchorage, AK 99510-1345 (274-8477)

February 27, 1997

The Honorable Bert Sharp, Co-chair
Senate Finance Committee
Alaska State Legislature
State Capitol
Juneau, Alaska 99801-1182

Dear Senator Sharp:

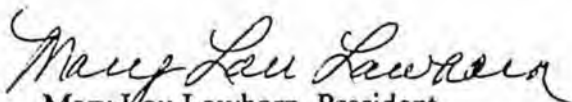
The League of Women Voters of Anchorage opposes SB24. This bill is poor public policy and we urge you to oppose it.

The judicial bypass procedure would not readily be available to minors. To have to apply to a court for the petition, places them in an unfamiliar setting with little assistance. Some minors may seek illegal abortions rather than face the process required by this legislation. Illegal abortions can result in damage to the reproductive system and have resulted in death. In addition, judicial bypass could be hazardous to the health of pregnant minors by delaying treatment until the second trimester.

There are many reasons a young woman might avoid disclosure of a pregnancy to a parent: Physical and mental abuse, cultural ostracism, incest, rape, and poverty are only a few. We should not erect barriers that prevent young people from seeking important health care.

The League of Women Voters believes in freedom of reproduction choice and the right to privacy. Again, we urge you to oppose SB24.

Sincerely yours,


Mary Lou Lawhorn, President
League of Women Voters of Anchorage

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Girls, abortion and judicial bypass

Abortion is an issue with very little middle ground. Those who call themselves "pro-choice" favor it; those known as "pro-life" fight it at every turn. Rarely, if ever, do the two sides agree. And whenever an abortion-related bill comes up, the battle lines are drawn before the ink is dry.

Such, unfortunately, will probably be the case with Senate Bill 24, introduced recently by Sen. Loren Leman, an Anchorage Republican. His bill requires minors to obtain consent from a parent or guardian before getting an abortion. The provision also allows a minor to petition the courts for permission for the procedure without the consent of a parent or guardian.

The state currently has a parental consent law on the books. However, a 1976 opinion by the attorney general declared it unenforceable because the statute lacked a judicial bypass provision. Various Supreme Court decisions have held that such an option is necessary to meet constitutional muster. Sen. Leman's bill would fix the problem.

Regardless of one's emotional views on the subject, this bill simply follows a fairly logical extension of existing Alaska law. A minor cannot vote, buy cigarettes or be served alcohol. Should we, however, allow minors to get an abortion?

A minor under the age of 16 can't use a firearm unless obtaining consent from a parent; they can't get married without consent; and they can't get any major - or often times - minor medical procedure without parental consent. If one argues abortion is 'just a medical procedure,' then parental consent should be required here as well.

What one calls that which grows inside a woman - fetus, egg, child, it, tissue, or whatever - one point remains absolute. An abortion ends the life of a future human being. Such a decision should not be made by one scared young girl alone.

If an under-aged teen-ager needs permission for almost any medical procedure, how is an abortion different? And this law provides an outlet for those, for whatever reason allowable, who cannot obtain permission from their parents or guardians. The law allows for the courts to step in. However, courts must be extremely conservative in allowing this review. This is a matter left to the family except in extreme cases. It should not be an option available just because a girl doesn't want to face her parents.