

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairperson Steve Brunk at 9:00 am on Monday, March 09, 2015, 346-S of the Capitol.

All members were present

Committee staff present:

Natalie Nelson, Legislative Research Department
Joanna Wochner, Legislative Research Department
Stephen Bainum, Kansas Legislative Committee Assistant
Mike Heim, Office of Revisor of Statutes

Conferees appearing before the Committee:

Garrett Love, Senator
Kathy Ostrowski, Kansans for Life
Jeanne Gawdun for Dr. Anthony Levatino
Michael Schuttloffel, Kansas Catholic Conference
Barbara Saldivar, CWA
Mary Akerstrom, Opponent
Ann Garvey, Opponent
Tom Tangiers on behalf of Bruce H. Price, MD., Opponent
Elise Higgins, Planned Parenthood, Opponent

Others in attendance:

[See Attached List](#)

Hearing on: SB95 — Creating the Kansas unborn child protection from dismemberment abortion act.

Chairman Brunk opened the hearing on **SB95** and called upon Mike Heim, Revisor of Statutes to give the Committee a briefing on the bill. ([Attachment 1](#))

Written testimony in support of **SB95** was presented by:

Jeffery Colyer. ([Attachment 2](#)) Mr. Colyer stood for questions from the Committee.

Senator Garrett Love told of his experience of seeing his baby girl on her first sonogram. Seeing her with arms, legs, fingers, toes and a beating heart was very special. He was shocked to realize that many unborn babies that are her age in those pictures are having their arms and legs ripped off in order to kill them. This is incredibly gruesome and that's why many are demanding that it be stopped. Senator Love answered questions from the Committee. ([Attachment 3](#))

Kathy Ostrowski said that in a dismemberment abortion, the abortionist uses "clamps, grasping forceps, tongs, scissors or similar instruments," to repeatedly enter the mother's womb and tear off and remove parts of a living unborn child's body, piece by piece, including crushing and extracting the skull. She quoted Justice Anthony Kennedy saying that the fetus, in many cases, dies just as a human adult or

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child would. It bleeds to death as it is torn limb from limb. The contemplation of such an act of dismembering a living human being is breath-taking, especially in a society that criminalizes animal cruelty. ([Attachment 4](#))

Jeanne Gawdun presented the testimony of Dr. Anthony Levatino. His testimony described the procedure for performing a dismemberment abortion. He concluded by saying that he had managed hundreds of cases of "terminating" pregnancies to save the mother's lives. In all those hundreds of cases, the number of unborn children that I had to deliberately kill was zero. ([Attachment 5](#))

Michael Schuttloffel said that abortion has become detached from the reality of abortion. The word "abortion" does not bring to mind a procedure so much as it triggers thoughts of political activism. Abortion has become a political question, a position on a survey, a vote on a scorecard, and even a matter of party loyalty. But in fact, abortion is none of these things. An actual abortion is something real. It is an act upon a real person. It is something that actually happens. We are arguing about whether the law should allow an adult to rip the arms and legs off of an unborn child. This is the matter at hand, nothing else. Should society allow an unborn child, four months along, to be dismembered? The abortion industry is not satisfied with merely having a license to kill. It must be a license without restrictions. They claim a right to kill with any method they choose, no matter how brutal. One wonders if they could find a more tortuous method of dealing death if they tried. ([Attachment 6](#))

Barbara Saldivar said that the Supreme Court has not outlawed abortion outright, however, they have ruled that certain procedures are not to be used in the process of abortion. One favorable ruling is the upholding of the ban on partial birth abortion which bans a particularly brutal and inhumane abortion method in which the child is removed from the womb feet first and delivered before being killed. The other extremely horrific, inhumane abortion procedure that Americans must not allow is the use of dilation, extraction and evacuation (also known as the D&E method). It is a process which is both gruesome and extremely painful for an unborn child. The procedure involves tearing the unborn baby to pieces, limb by limb, organ by organ and ends with crushing the child's skull. If passed, **SB95** will protect Kansas children from experiencing this kind of painful death. Several Representatives on the Committee asked questions of several of the witnesses. ([Attachment 7](#))

Written Only testimony in support of **SB95** was presented by:

Jody A Elson, MD ([Attachment 8](#))

Melissa J. Hague, MD ([Attachment 9](#))

Renee Slinkard ([Attachment 10](#))

Bruce B. Snider, MD ([Attachment 11](#))

Pat Herrick, MD, PhD ([Attachment 12](#))

Written testimony in opposition to **SB95** was presented by:

Julie Burkhart presented three arguments for this abortion procedure. One was the complaint that this bill dictates to qualified physicians the scope of their practice. Secondly she indicated that this bill

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raises a contradiction to the decisions handed down by the United States Supreme Court. Finally, the State of Kansas is in dire economic straits and needs more focus on the budget. ([Attachment 13](#))

Mary Akerstom said that whether a woman has an abortion is not the State's business. The State's creation of laws restricting abortion is an infringement of a person's liberty. This bill will remove a woman's right to make autonomous, independent decisions concerning her own life and the quality of life she may or may not be able to provide for a child. ([Attachment 14](#))

Ann E. Garvey said that no politician should have the right to determine what is best for my health, my family and my future. ([Attachment 15](#))

The testimony of Bruce H. Price, MD, was presented by Tom Tangiers. In it he said that this bill would limit the physician's ability and judgment when taking care of patients. He believes that this is the safest method of abortion. ([Attachment 16](#))

Elise Higgins said that SB95 would harm Kansas women, create inappropriate interference of politicians into the doctor-patient relationship and cost Kansas taxpayers. ([Attachment 17](#))

Written Only testimony in opposition to **SB95** was presented by:

Melissa Tover-Olson ([Attachment 18](#))

20 Doctors ([Attachment 19](#))

Micah Kubic, Executive Director, ACLU of Kansas ([Attachment 20](#))

Paul Brink, Student, WSU ([Attachment 21](#))

Stephen M. Gordon, D.O. ([Attachment 22](#))

Chairman Brunk closed the hearing on **SB95**.

The meeting was adjourned at 10:35 am