

Approved *Ginger Barr*
March 14, 1990 Date

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS

The meeting was called to order by Representative Ginger Barr at
Chairperson

1:33 ~~xxx~~/p.m. on February 19, 1990 in room 519-S of the Capitol.

All members were present except:

Representatives Cates - Excused
Gjerstad
Peterson

Committee staff present:

Mary Galligan, Kansas Department of Legislative Research
Lynne Holt, Kansas Department of Legislative Research
Mary Torrence, Revisor of Statutes Office
Juel Bennewitz, Secretary to the Committee

Conferees appearing before the committee:

Representative Artie Lucas
Scott Morgan, Chief Counsel to the Governor
Cynthia Patton, Kansans for Life
Robert Zornes, The L.I.G.H.T. House, Kansas City, Kansas
Pat Goodson, Right to Life of Kansas, Inc.
Cleta Renyer, Right to Life of Kansas, Inc.
Representative Marvin Smith
Rick Wolters, Hugoton, Kansas
Bob Runnels, Executive Director, Kansas Catholic Conference
Mary Jane Whelan, Kansans for Life
Tammy Palmer, Wichita, Kansas
Dick Kelsey, Kansas Association of Evangelicals
Lacy McMullen, Manhattan, Kansas
Betty Born, Sidewalk Counselor
Arthur Boyle, Knights of Columbus, Atchison, Kansas
Reverend John Yeats, Kansas-Nebraska Convention of Southern Baptists
Representative Rex Crowell

Chairman Barr explained the hearing would be conducted in the following manner:

1. Testimony would begin at 1:35 p.m.
2. Each conferee would have a time limit of two and a half minutes and would be timed.
3. The conferees were requested to stay for questions by the committee.
4. Testimony would be presented from 1:35 - 2:30 p.m.
5. Committee questions and discussion would be 2:30 - 3:20 p.m.

Representative Lucas compared HB 2663 and HB 2779's major provisions and parental notification in general, Attachment No. 1.

Scott Morgan explained the major points of HB 2779, Attachment No. 2.

Cynthia Patton spoke in favor of parental notification, Attachment No. 3 and submitted statistics from three states having such laws, Attachment No. 3A.

Robert Zornes testified in support of HB 2663 based on his experience as a counselor of teens, Attachment No. 4.

Pat Goodson advocated the provisions of HB 2663 and strongly opposed the other parental notification bills assigned the committee, Attachment No. 5.

Cleta Renyer supported HB 2663 and opposed any judicial bypass provisions, Attachment No. 6.

Representative Smith supported HB 2663, as drafted, Attachment No. 7, and submitted a constituent letter requesting support of parental notification, Attachment No. 7A.

Cathy and Rick Wolters presented a dialogue regarding decision making and submitted a written statement supporting HB 2663 but strongly opposing HB 2779, Attachment No. 8.

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Bob Runnels spoke in support of parental notification and noted his group could endorse HB 2779 if the age were raised to 18 years, Attachment No. 9.

Mary Jane Whelan discussed points in favor of parental notification for girls under age 18 years based on her experience as a nurse, Attachment No. 10.

Tammy Palmer supported parental notification based on her experience as a pregnant teenager, Attachment No. 11.

Dick Kelsey urged support for parental notification for girls under age 18 years, Attachment No. 12.

Lacy McMullen spoke in support of parental notification from her perspective as a mother, Attachment No. 13.

Betty Born read a statement from Carie Ann Lickly describing her abortion, Attachment No. 14.

Arthur Boyle testified in support of parental notification as outlined in HB 2663, Attachment No. 15.

Reverend Yeats urged support of HB 2663, unamended, as a "pro-family" issue, Attachment No. 16.

Representative Crowell asked the committee to support HB 2663 as legislators affirming the family structure. He stated he would submit his written remarks for the committee.

Attachment No. 17 is the testimony of Valerie Joens in support of HB 2663. Ms. Joens yielded her scheduled speaking time to Representative Lucas.

Attachment No. 18 is Barbara Stoecklein's submitted statement in favor of parental notification based on her family's experience.

Committee discussion:

Q. To all conferees except Mr. Morgan - Is there any conferee in the room who endorses HB 2779?

A. Chairman Barr directed the record show there were no conferees present endorsing HB 2779.

Q. To Representative Lucas - A comparison of the two bills received from staff indicates that the definition of abortion in your bill could include birth control methods. Was it your intention to include birth control methods?

A. Rep. Lucas responded that was not his understanding of the bill drafting and he would not object to such clarification of the bill.

Q. To Rep. Lucas - Could you please define "diligent effort"?

A. Rep. Lucas responded he intended to leave it "to the wisdom of the committee" to determine what it wanted or thought it should mean. If he were not in favor of the definition, Rep. Lucas said he would oppose it on the floor.

Q. To Rep. Lucas - Is it of concern to you that HB 2663 is absent a judicial bypass when such laws in other states have been enjoined pending a Supreme Court decision?

A. Rep. Lucas' response was that it was specifically drafted without judicial bypass. He noted that courts could be notified through SRS in cases of incest.

Q. To Rep. Lucas - You have no concern then when no state has upheld such a bill without judicial bypass?

A. The response was that if the Minnesota and Ohio laws were upheld before the Supreme Court, and the committee felt judicial bypass necessary, when debate occurred on the bill, Representative Lucas had an amendment he was prepared to offer.

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- Q. To Ms. Patton - You say parental involvement laws have been effective in reducing the number of abortions and teenage pregnancies and refer to statistics from three other states. Would you compare Minnesota to Kansas?
- A. Ms. Patton responded that in terms of size and the fact that both are midwestern states, it is probably a good comparison.
- Q. To Ms. Patton - Statistics seem to indicate the abortion and teenage pregnancy rates for Kansas are dropping as well and it has no parental involvement law.
- A. The response was that Minnesota has a reporting bill requiring clinics report and Kansas does not. Most hospitals in Kansas have stopped doing abortions therefore the decline in statistics and Ms. Patton claimed the decline was not as significant as that of Minnesota.
- Q. To Ms. Patton - There is a chart on pregnancy rates for women under 20 years (doesn't include abortion statistics) that indicates the same decline for Kansas and Minnesota. If the only different fact is parental notification, would you amplify?
- A. Ms. Patton answered that she could not.
- Q. To Ms. Patton - What does your organization do to reduce teen pregnancies?
- A. She responded her organization is a single issue organization due to the diversity of religious tenets of its members. She stated the organization takes no position on birth control or sex education in the schools. Also the organization does not lobby on any bills other than those against abortion. Ms. Patton further stated the organization's constituency was not organized for that issue and it would be asking it to get involved with someone else's issue.
- Q. To Ms. Patton - How do you define dysfunctional family?
- A. In terms of SRS' confirmed cases of abuse and neglect in the last six months.
- Q. To Ms. Patton - SRS took 5,000 children into custody last year. With that number, how did you derive such a low percentage for dysfunctional families? It does not appear that SRS would remove children from their homes without serious concern.
- A. Most parents have due process rights and Ms. Patton questioned every reported case constituted a dysfunctional family unless people had had a due process hearing and were actually convicted.
- Q. To Rep. Lucas - re: HB 2663, Section 4 (civil penalties). Could you have a situation where a woman consented to an abortion and later file a suit against the person performing the abortion holding him civilly liable?
- A. "Absolutely." It refers to Section 3 describing an abortion using unprofessional conduct and malpractice.
- Q. To Rep. Lucas - Section 3 speaks to when notice shall not be required and what constitutes notice. What constitutes medical standards did not appear to be contained in that section. Parents who may have given their consent may also file a civil suit?
- A. "That's right."
- Q. To Rep. Lucas - Would this also include the parents of the boy responsible for the pregnancy?
- A. The answer was affirmative.
- Q. To Rep. Lucas - To clarify, conceivably there could be five parties - the parents of the girl, the parents of the boy and the girl herself who could agree to an abortion, have it proceed without incident and then at a later date, file suit?
- A. The answer was affirmative.
- Q. To Rep. Lucas - Wisconsin enacted a law January 1, 1990, making the parents of an unmarried minor teen financially responsible for the baby. If Kansas were to enact a parental notification law, do you think grandparents should be financially responsible for the children?

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- A. Rep. Lucas responded the families have a responsibility to the minor. Further, he stated it could be discussed though he would want to review the proposed legislation.
- Q. To Rep. Lucas - Following up on Section 4, is the boy responsible for the pregnancy also entitled to file suit against the doctor?
- A. The answer was affirmative. Rep. Lucas stated he felt this reasonable if the conduct of the doctor was unprofessional. He called the law concerning non-notification of parents in cases of a child having a venereal disease a travesty.
- Q. To Ms. Patton - re: The increased emotional pressures put on children as evidenced by the rise in teen suicide. Ideally, every family should be involved with its children but realistically there are those who do not assume the responsibility. Noting that the organization you represent is single issue, how would it stand on a requirement that according to state law, parents and their children, by a date certain, attend a certified sex education class discussing the responsibilities of sex with children?
- A. The response was that sex education is a volatile issue. Ms. Patton expressed hope that there existed a successful sex education program emphasizing abstinence but stated her organization would split over that issue.
- Q. To Ms. Patton - Do you know of any state statute requiring parents' signature for the piercing of ears or administration of a cough drop?
- A. The response was that it is common law - tort law. It is not statutory law, it is common law. Consent forms are used because any operation performed without one is considered battery. Parents consent for surgery is required because under common law the judiciary has decided minors are incapable of giving informed consent. Conversely, the Supreme Court has recognized privacy rights for minors.
- Q. To Ms. Patton - re: A technical point - the pre-emptory clause in Section 1 of HB 2663, not found in HB 2779. Was this inserted because of a question of constitutionality?
- A. The answer was affirmative. If the explanatory clause is removed it eliminates the legislative intent. That is the basis to the challenge of the Minnesota law presently before the Supreme Court. Ms. Patton contended HB 2779 would be more difficult to defend at the Supreme Court level because it has no such clause.
- Q. To Mr. Runnels - Your testimony makes no reference to HB 2663.
- A. Mr. Runnels clarified that at the time the testimony was written, his understanding was HB 2779 was the only bill to be discussed. He stated HB 2663 was the preferred bill of the Conference and would be restrictive. It would have concerns regarding HB 2779.
- Q. To Rep. Lucas - re: A follow-up to the notification of both parents. How many children under 18 years of age in Kansas live in single parent homes?
- A. Rep. Lucas did not have the statistics.
- Q. To Rep. Lucas - The member stated it was about half. Do you know how many non-custodial parents are actively involved in their child's life through payment of child support, visit or see the child? Why do we try to find a parent who may or may not have any idea about this child to notify him/her of a surgical procedure?
- A. The response was negative to the first question. Rep. Lucas explained "all diligent effort" was used for that reason. Rep. Lucas stated both parents have a vested interest regardless of their involvement.
- Q. To Rep. Lucas - Many analogies have been made about abortion as a surgical procedure. Are both parents notified for an appendectomy?
- A. The intention is to try to increase communication but the primary issue is rights of the parents.

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- Q. To Rep. Lucas - What gives an absent, non-custodial parent that kind of right over a minor child?
- A. Rep. Lucas cited an example of a divorced father, paying child support as having the right to be notified. He also affirmed the intention that a parent, possibly non-custodial, from birth had the right to be notified.
- Q. To Rep. Lucas - re: Children in foster care. Citing parents declared incompetent or a family so dysfunctional the state has removed the child from the home -- according to the bill, those same parents would be notified rather than the foster parent involved in the daily care and support of the child?
- A. The answer was affirmative.
- Q. To Rep. Lucas - To clarify, which parties may sue the physician?
- A. Section 4, as it refers to Section 3 (where notice is required) states performance of an abortion, in violation of Section 3" - if notification was not provided, the physician can be guilty of a class D felony and subject to civil penalties. Rep. Lucas stated he did not know if the section was typical of legislation in the other states with such laws.
- Q. To Rep. Lucas - re: Incest provision - Would declaration of incest be enough to exempt a person from the notification requirement?
- A. Reference was made to Section 4, line 19, and if "they have done everything they can to try and prove what that minor has said is true, that it is a case of incest, then they cannot be held liable".
- Q. To Rep. Lucas - In terms of the procedure, how do you envision determining the truth of the minor's claim?
- A. Rep. Lucas responded it would more properly be directed to a doctor or attorney.
- Q. To Rep. Lucas - Do you have any idea of the length of time in making the determination? What would be the process for validating the claim? Would the decision be made by SRS, local law enforcement? What if they disagreed?
- A. In response to the second question, Rep. Lucas restated the question would be better answered by a physician or attorney. The physician would determine the claim of incest.
- Q. To Ms. McMullen - Is there recognition that a variety of religious groups differed on this issue? To approach the issue on religious grounds, codifying it into state law presents a problem, especially in terms of the privacy of the decision?
- A. Ms. McMullen responded she was presenting a personal opinion and not that of any religious group.
- Q. To Ms. Patton - re: HB 2663, p. 2, line 9 - in terms of foster children whose parents' rights have been severed, the state is then the parent or so designates a foster parent. Would your group oppose an adjustment to address this issue?
- A. Ms. Patton answered the bill probably did not address that issue and than an amendment may be in order.
- Q. To Ms. Patton -re: An unemancipated pregnant minor, living with friends, who does not know the whereabouts of her parents, has no one to notify or to counsel with her concerning adequate care, etc.
- A. The answer was that the bill does not address the point and an amendment in terms of the definition of unemancipated minor may be in order. Ms. Patton stipulated the definition should not be "too loose" and that in cases where girls have been "kicked out" of their homes, the parents are still financially responsible. She expressed doubt there could be required notification in the case of a pregnancy test.
- Q. To Ms. Patton - Where is the protection in the bill for the child who does not want to have an abortion and the parents determine she should?
- A. The girl has privacy rights under the Constitution.

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- Q. To Rep. Lucas - Shouldn't the man responsible for the pregnancy be notified? If the girl elects to not tell him, he is still financially responsible.
- A. Rep. Lucas agreed the man should be notified but unless he and the girl are married, he was not financially responsible until the birth of the baby. Ms. Patton explained there is a father's rights bill which addresses this subject.

The conferees were asked how many would support an earlier suggestion that the state mandate sex education classes involving parents and children. It was directed the minutes reflect none raised their hands. Ms. Patton stated the program would need to be reviewed before a response could be given.

The meeting adjourned at 3:23 p.m. The next meeting of the committee is scheduled for February 20, 1990, 1:30 p.m. in Room 519-S.

GUEST LIST

FEDERAL & STATE AFFAIRS COMMITTEE

DATE February 19, 1990

(PLEASE PRINT)

NAME	ADDRESS	WHO YOU REPRESENT
Karen Bell	5342 W. 53rd St ^{Judy}	Planned Parenthood
BILL BELL	" " " "	" "
Belva Ott	Wichita	" "
Sandy Wehner	SA Betha	RTL F
Tim Gille	13024 SYCAMORE, OLATHE	K. FL
Ernest ADAIR	19840 Floyd, Stilwell	A PARENT Robbed OF 2 GRANDCHILDREN
Sharilyn Young	2226 E Central Wichita	Planned Parenthood of Kansas
Ruth	TOPETA	
Betty Jean Betty	Sabetha	Right to Life of Ks. Inc.
Paul Mudd	Gorham, Kans.	Right to Life of Kans.
Jean A. Bexyer	RR2 Box 96 Sabetha Ks	Right to Life of Ks.
Edna Hatfield	1234 - 9th, Clay Center, KS	Right to Life - Clay County
Leabelle Mudd	Gorham, Ks	Right to Life of Kansas
Margaret Diederich	RR Greenleaf	KFL - S D C C W
Jeanette Diederich	RR Greenleaf	KFL
Shirley Campbell		
Barbara Kich	Auburn	
John Galt	TOPETA	CPA - KANSAS SOUTHERN BAPTIST
Arthur J. Boyle	P.O. Box 40 ATCHISON, KANSAS	Knights of Columbus
Dick Kelsey	520 Martha Mulvone ⁶⁷¹¹⁰	Kansas Association of Evangelists
Mary Jane Winken	Rt 1 St Paul, Ks 66771	Kansas for Life
JACIE M T HAWKINS	2111 Lombardy Dr ^{VC} 67102	Kansas for Life
Pat Goodson	St Marys	Right to Life of Ks.
Bob Funnels	K. C.	Kansas Catholic Conference
Rod Griffin	Lawrence	University Daily Kansas
Art McCrea	VPI	VPI

GUEST LIST

FEDERAL & STATE AFFAIRS COMMITTEE

DATE February 19, 1990

(PLEASE PRINT)

NAME	ADDRESS	WHO YOU REPRESENT
Alan Weldon	6515 Boussett, Wichita	Kansans For Life
Robert Hasenbancup	416 Ohio, Hottan	Catholic Church
Cheryl Synoground	99 N. 61st St. - K.C. KS	Kansans For Life - Wyand. County
Joe Gilman	2908 Stratford Rd. Lawrence, KS 66049	- concerned citizen -
Rick-cathy Walters	HC-01 Box 23, Hugoton, KS	C.C.P.A
DOUG HAMILTON	7123W WESTERN TOPETA	CONCERNED CITIZEN
Betty Barn	5726 Delaware Wichita,	Lifepax
Tammy & Aaron Palmer	1418 Louis Dr. Mulvane KS.	- Concerned citizen -
Cindy Patton	3546 Summerwood Ct.	Kansans for life
ROBERT ZORNES	5701 NW Colrain Kemo,	The Light House
Cleta Remyer	R 2, Box 94 Sabelta	Right to Life of Ks Inc.
Jalvin Jones	1191 Maclean	Kansas for Life
Colette Asquith	HC61 Box 15 Lyndon, KS	Right to Life of Ks Inc.
Angeline Schmitz	5147 Wash - Beloit KS	Right to Life of Ks - Inc.
Kathryn Eilert	600 E. Main Beloit, KS	Right to Life - Kans.
PAT ADAIR	19840 Floyd Stilwell, KS	KANSANS FOR LIFE
Katharine Weickert	Topoka	KAFB
CAROL KRAFT	2022 PARK AVE EMPERIA	KANSAS FOR LIFE
Judy Cates	402 LaDara Emporia, KS	" " "
William G. Slusher	9935 Goddard, O.R. KS	Concerned Citizen
Kathy A. Smith	503 EASTVIEW MULVANE, KS	THE BRETHREN CHURCH
Beth Powers	Topoka	The Kansas Choice Alliance
Adele Hughey	Overland Park, KS	The Kansas Choice Alliance
Barbara Holmark	Leawood, Kansas	Greater K.C. National Council of Jewish Women and Ks. Choice Alliance
Margot Skerim	325 Stratford Wichita	Planned Parenthood - Ks

ARTIE LUCAS
 REPRESENTATIVE, FORTY-NINTH DISTRICT
 DONIPHAN COUNTY AND PARTS OF
 BROWN, ATCHISON AND
 JACKSON COUNTIES
 608 E. VIRGINIA
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 HIGHLAND, KANSAS 66035



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HOUSE OF
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS
 MEMBER: ELECTIONS
 ENERGY AND NATURAL
 RESOURCES
 TRANSPORTATION

TESTIMONY BEFORE THE HOUSE
 FEDERAL AND STATE AFFAIRS COMMITTEE
 PARENTAL NOTIFICATION
 February 19, 1990

Madam Chairman and members of the committee, thank you for allowing me the opportunity to come before you on the issue of Parental Notification. I would like to first review the two bills before the committee and their differences and then discuss the issue in general. I know this is an emotional issue, but I will endeavor to deal in just verifiable facts and data in my testimony.

HB 2663 and HB 2779 both deal with the requirement of a physician to notify the parents of a minor seeking an abortion. There are several distinct differences between these bills:

1. Age of Minors-

HB 2663 Specifies that this bill would require notification be given to the parents of any girl below the age of minority as defined in K.S.A. 38-101, basically speaking, 18.

HB 2779 Specifies that this bill would require notification be given to the parents of any girl below the age of 16.

2. Type of Notice-

HB 2663 Specifies that the notice shall be either a personal notice delivered by the physician or the physician's agent, or by certified mail with delivery restricted to the addressee.

HB 2779 does not specify except to say "actual notice" has been given to one of the parents.

3. Waiting Period-

HB 2663 Specifies that the physician is required to wait for

a period of 48 hours after the delivery of the notice, which is deemed to be the next day after the notice is mailed.

HB 2779 does not specify any waiting period.

4. Number of Parents Notified-

HB 2663 Specifies that both parents shall be notified if both are living or can be found through diligent efforts, otherwise one parent will suffice.

HB 2779 Specifies only one parent shall be notified.

5. Judicial Bypass-

HB 2663 Allows for Notification of the courts through the SRS in cases where the minor is the victim of incest.

HB 2779 Allows for Notification of the courts in any instance where the minor does not want to inform her parents.

6. Penalties-

HB 2663 Allows that anyone found guilty of violating this act can be convicted of a Class D felony and be subject to civil actions.

HB 2779 Allows that a physician may have his license revoked if unprofessional conduct or incompetency is determined.

As you can see, there are some distinct differences between these two bills. I would now like to explain why I feel that HB 2663 is the approach that Kansas should take.

This bill would probably have better been named the Parental Rights bill, because that is precisely what we are dealing with. The state has an important interest in protecting parents' rights, and so it should. The Constitution guarantees parents the

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right to select the school which their children will attend. There are laws protecting parental access to their children's school records, parental permission for school trips, health treatment and remedial care provisions.

The U.S. Supreme Court has long recognized parental nurture and direction of children as a right and a duty:

"[t]he child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations."(1)

Children, the Supreme Court said in June 1988, are generally more vulnerable and less mature than adults:

"Inexperience, less education, and less intelligence make the teenager less able to evaluate the consequences of his or her conduct while at the same time he or she is much more apt to be motivated by mere emotion or peer pressure than an adult."(2)

It is precisely for this reason that laws are enacted to protect children and support parents in the discharge of their parental responsibilities. Children may not drink alcohol or drive an automobile, for example, until they reach a certain age.

Time and time again our legislatures and courts have recognized the importance of the family and parents' responsibility for the welfare of their children.

"...the guiding role of parents in the upbringing of their children justifies limitations on the freedoms of minors," the court stated in 1979.(3)

In one critical decision regarding their children's lives, however, parents in Kansas have been denied any role. This is the abortion decision.

Laws allowing for parental involvement are a constitutional means of properly balancing state, family and individual interest.

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"To allow the state to strip the parents of their natural and legal authority to act as father and mother in this instance is to undermine the authority and integrity of the family. Most parents rightly recognize the potentially traumatic nature of a teen pregnancy, and will provide the necessary parental love and advice that, after all is what families are for."(4)

Kansas currently makes no provisions for parental knowledge, reflection time, or consent regarding childrens' abortion decisions. Parents are being denied the right to know, and they are angry.

In the Kansas survey conducted for the Wichita Eagle last year, a strong majority (82%) said they favored legislation requiring girls under 16 to have their parents' consent for an abortion. When the age was raised to 18 years the support was still a significant majority (67%).

The Gallup Poll, July 6, 1989, reported that 67% of those asked in a nation-wide poll, were in favor of requiring women under 18 years of age to get parental consent before they are allowed to have an abortion. A 1989 Los Angeles Times poll revealed that 81% believe minors should obtain their parents' permission before getting an abortion. Unfortunately, the media and special interest groups often skew the results of pools to make it appear they say something they do not. These pool results are clear and unequivocal.

While I do not believe we should have government by poll, I do believe that expressed attitudes and feelings of our populace should be given serious consideration when laws are being enacted.

Without the advice and counsel of their parents, without the proper medical history often needed, without the love and guidance of family members, children today are at great risk of physical and emotional scars. Physically, minors who abort their first pregnancy rather than carry to term encounter greater risks of complications in future pregnancies.(5)Psychologically, minors are much more susceptible than older women to the anxiety,

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depression, guilt and regret which often follows an abortion.(6)
The American Psychiatric Association has termed these symptoms
Post-Abortion Syndrome (PAS), and officially recognized the
disorder for the first time in 1987.

Families deserve private time and space for review and discussion
before a decision is made with regard to abortion. An
adolescent making such a critical decision is entitled to guidance
from concerned and caring family members, rather than the sole
opinion of abortion clinic personnel. And parents are entitled
to choose the best medical care for their children.

As Lawmakers we are continually making decisions that affect
peoples lives. It is important that we try to do what is right.
I introduced HB 2663 because I believe the state has an important
interest in protecting parents' rights.

HB 2663 does not go as far as surveys indicate people want. A
requirement for parental notification is, I believe, a reasonable
requirement, and it reflects judicial findings.

Each of us must determine our position on this difficult and
emotion-laden social problem in a spirit of tolerance,
thoughtfulness, and compassion. I have tried to do that.

I also recognize passage of this legislation will not entirely
address the teenage pregnancy problem. We will need also to
provide support--comfort, counselling, education, encouragement,
and, where necessary, financial--if we are eventually to
satisfactorily alleviate the problem.

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REFERENCES

- (1) Pierce v. Society of Sisters, 268 U.S. 510, 535 (1925)
- (2) Thompson v. Oklahoma, 108 S.Ct. 2687 (1988)
- (3) Bellotti v. Baird 443 U.S. 622, 637 (1979)
- (4) Albany Times Union, Editorial (March 8, 1988)
- (5) Chung, et al, "The effects of induced abortion on subsequent reproductive function and pregnancy outcome," Papers of the East-West Institute, Number 86, June 1983.
- (6) Cates, "Adolescent Abortions in the United States," Journal of Adolescent Health Care 18 (1980)

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STATE OF KANSAS



OFFICE OF THE GOVERNOR

State Capitol
Topeka 66612-1590
(913) 296-3232

Mike Hayden *Governor*

TESTIMONY

of

Scott Morgan

Chief Counsel to Governor Mike Hayden

Before the

House State and Federal Affairs Committee

In favor of HB 2779

Madam Chairperson and members of the House State and Federal Affairs Committee, thank you for the opportunity to appear before you today to speak in favor of HB 2779, the Governor's proposal regarding parental notification. I am Chief Counsel to Governor Hayden and am appearing at his request to express his continued strong support for this measure.

Last November, Governor Hayden laid out his proposal for addressing the troubling issue of abortion. A major part of his proposal is legislation that would require notification of one parent before an abortion could be performed on anyone under the age of 16.

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Decisions regarding abortion are difficult and stressful for any individual. But for the very young this is especially true. That is why we must address their needs and encourage parental support for those young women who are faced with this decision. A parental notification requirement would promote the family communication and parental support essential for any teenager in these circumstances. There are many factors working against families in today's world. The public policy of the state of Kansas should not be one of them.

Some have asked why the Governor has chosen to support a parental notification bill that only applies to those under the age of 16. After considering all factors, the Governor believes those under the age of 16 would benefit the most from parental support. Although many areas in state law use age 18 as the point of majority, by no means is this age used consistently throughout our statutes. Perhaps in the most relevant area of state-determined majority, current law at KSA 21-3503 makes it a criminal offense to engage in sexual activity with anyone under the age of 16 regardless of consent. Once someone reaches the age of 16, the state no longer prohibits such activity. With this statute, the legislature has determined that a woman of 16 is old enough to decide whether or not to consent to sexual activity and its consequences.

Another question addresses the issue of one versus two parent notification. While the Governor's main reason for supporting parental notification is to support the Kansas family, he is aware that many families today are one-parent families. Although many of the absent parents continue to be active in the raising of their children, a number have ceased being parents in anything but name. The one-parent provision recognizes this reality.

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Although the Governor believes in parental notification, he recognizes that not all families would provide the support that notification seeks to encourage. For this reason, he believes that a means should be available that will allow a district judge to decide that notification of even one parent would not be in the best interest of the person seeking an abortion. Such a procedure should be easily accessible, prompt and confidential.

In closing, the Governor does not suggest that this is an easy issue. However, he does believe that for the majority of Kansans, his proposal represents the fairest balance between a woman's right to choose what is best for her and the state's legitimate role in protecting children and in promoting the interests of the family. It is important that public policy in Kansas support families whenever possible. The Governor believes this bill would provide such support.

FSA
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Kansans for Life

Suite 1A 3202 West 13th Street
Wichita, Kansas 67203
(316) 945-9291

February 16, 1990

Chapters and
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St. Paul
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TO: House Federal & State Affairs Committee

FROM: Cynthia J. Patton representing Kansans for Life

I speak in favor of the parental notification laws. The parental involvement laws are effective not only for reducing the number and rate of abortions among teenagers, but also the number and rate of teenage pregnancies.

Attached you will find the statistics for abortion and pregnancies from Minnesota, Missouri and Massachusetts which demonstrate that the parental involvement law serves to change teenage behavior. The very knowledge of the law itself encourages teens to take steps to avoid teenage pregnancy. All three states with the parental involvement law showed a substantial decrease in the number of abortions and pregnancies in minor girls.

Very truly yours,

CYNTHIA J. PATTON
Kansans for Life

CJP:ceh

HOUSE FEDERAL & STATE AFFAIRS
Attachment No. 3
February 19, 1990



Kansas affiliate to the National Right to Life Committee



Suite 500, 419 7th Street, N.W.
Washington, D.C. 20004 — (202) 626-8800

For further information:
Nancy Myers (202) 626-8825

FACT SHEET:
ABORTION STATISTICS FOR MINNESOTA MINORS
1975 -- 1986

Parental involvement laws are effective not only for reducing the number and rate of abortions among teenagers, but also the number and rate of teenage pregnancies. For instance, the Minnesota Parental Notice Law, in effect from 1981 through 1986, gave the state a 34 percent decrease in the number of abortions and a 27 percent decrease in pregnancies.

In the six years before the law went into effect, Minnesota abortion and pregnancy rates and numbers increased. During the six years the law was in effect, those same figures and rates decreased substantially. During both periods, Minnesota's birth rate continued its gradual decline.

All statistics are from the Minnesota Department of Health.

Table 1. Number and Rate per 1,000 of Abortions, Births & Pregnancies

Year	Abortions		Births		Pregnancies		MN Females 12-17 yrs (inclusive)
	Number	Rate	Number	Rate	Number	Rate	
1975	1,648	7.04	2,494	10.65	4,142	17.69	234,092
1976	2,060	8.90	2,369	10.23	4,429	19.13	231,544
1977	2,274	10.08	2,388	10.36	4,612	20.44	225,654
1978	2,186	9.91	2,122	9.62	4,308	19.53	220,602
1979	2,308	10.65	2,093	9.65	4,401	20.30	276,788
1980	2,327	10.96	2,033	9.57	4,360	20.53	212,364
1981	1,820	8.88	1,929	9.41	3,749	18.29	204,945
1982	1,564	7.82	1,778	8.89	3,342	16.71	200,020
1983	1,432	7.13	1,574	7.84	3,006	14.97	200,780
1984	1,395	7.32	1,654	8.67	3,049	15.99	190,706
1985	1,570	8.17	1,573	8.18	3,143	16.35	192,182
1986	1,545	8.02	1,626	8.44	3,171	16.46	192,699

Table 2. Trends in abortion, births and pregnancy numbers and average rates (per 1,000) for Minnesota minors

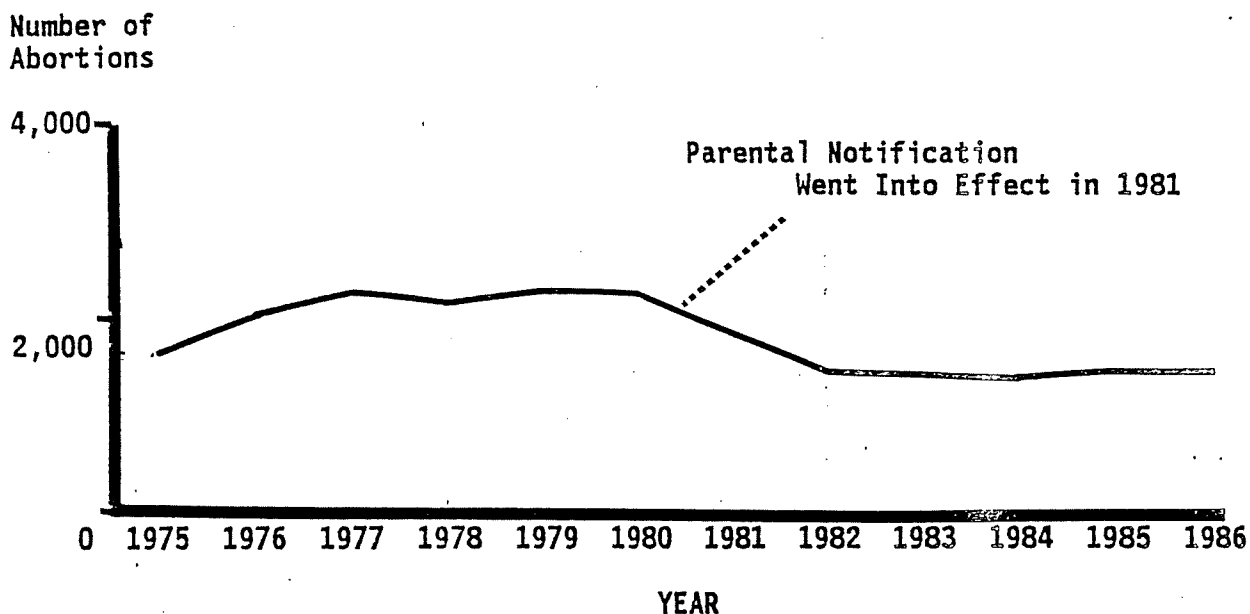
Years	Event	Trend	% Change	Rate
1975-80	Abortions	increased from 1,648 to 2,327	+41	9.59
	Births	decreased from 2,494 to 2,033	-19	10.01
	Pregnancies	increased from 4,142 to 4,360	+5	19.60
1981-86	Abortions	decreased from 2,327 to 1,545	-34	7.89
	Births	decreased from 2,033 to 1,626	-20	8.57
	Pregnancies	decreased from 4,360 to 3,171	-27	16.46

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HOUSE FEDERAL & STATE AFFAIRS
Attachment No. 3A
February 19, 1990

PARENTAL NOTIFICATION LAW REDUCED NUMBER OF TEEN ABORTIONS IN MINNESOTA

NUMBER OF ABORTIONS TO MINN. WOMEN AGED 17 AND UNDER, 1975-1986



MINNESOTA ABORTION, BIRTH, AND PREGNANCY STATISTICS, 1975 TO 1986 FOR WOMEN AGED 17 AND UNDER

Year	Abortions		Births		Pregnancies**		MN Female Residents 12-17 yrs (inclusive)
	Number	Rate*	Number	Rate*	Number	Rate*	
1975	1,648	7.04	2,494	10.65	4,142	17.69	234,092
1976	2,060	8.90	2,369	10.23	4,429	19.13	231,544
1977	2,274	10.08	2,338	10.36	4,612	20.44	225,654
1978	2,186	9.91	2,122	9.62	4,308	19.53	220,602
1979	2,308	10.65	2,093	9.65	4,401	20.30	216,788
1980	2,327	10.96	2,033	9.57	4,360	20.53	212,364
1981	1,820	8.88	1,929	9.41	3,749	18.29	204,945
1982	1,564	7.82	1,778	8.89	3,342	16.71	200,020
1983	1,432	7.13	1,574	7.84	3,006	14.97	200,780
1984	1,395	7.32	1,654	8.67	3,049	15.99	190,706
1985	1,570	8.17	1,573	8.18	3,143	16.35	192,182
1986	1,545	8.02	1,626	8.44	3,171	16.46	192,699

Source: Data from Minnesota Department of Health.

*Rate equals number of abortions/births/pregnancies for Minn. females ages 12 to 17 divided by number of MN female population aged 12 to 17 times 1,000.

**Number of pregnancies equals the number of abortions plus number of live births.

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Missouri Vital Statistics

1983 - 1987

Derived from Missouri Dept. of Social Services
Division of Health
Missouri Center for Health Statistics
P.O. Box 570
Jefferson City, MO 65102

It has been claimed that the enactment of parental consent laws for teen abortions serves to change teenage behavior, i.e. the very knowledge of the law itself will persuade teens to take steps to avoid unwanted pregnancy. The following data from the State of Missouri will prove this to be true: the enactment of a parental consent law served to decrease overall teenage pregnancies as well as abortions.

The following table shows the number of induced abortions and the number of pregnancies to Missouri residents under the age of 18 during the years 1983 to 1987.

<u>Year</u>	<u>Reported Induced Abortions</u>	<u>Pregnancies</u>
1983	2,550	6,464
1984	2,564	6,357
*1985	2,313	6,033
1986	2,103	5,856
1987	1,859	5,742

[*Note: The Missouri parental consent law became effective during 1985 after being unsuccessfully challenged in court. Thus, 1984 was the last full year in which parental consent was not required.]

The following trends emerge:

Between 1984 - 1987

Abortions decreased from 2,564 to 1,859.

Pregnancies decreased from 6,357 to 5,742.

Therefore, following implementation of a parental consent law in Missouri, the number of abortions for teens under age 18 dropped by 27.5%. For the same period and age group, the number of overall teen pregnancies dropped by 9.7%

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It has also been claimed that parental consent laws cause more teens to obtain abortions after the first trimester of pregnancy, when the procedure is said to be more risky.

The following table reveals the number of first-trimester abortions and number of post-first-trimester abortions for Missouri teens under age 18 for the years 1983 - 1987.

Abortions to Missouri Residents
Under the age of 18

<u>Year</u>	<u>< 13 weeks</u>	<u>> 13 weeks</u>	<u>Total Abortions</u>
1983	1938	422	2550
1984	2011	361	2564
1985	1824	349	2313
1986	1607	345	2103
1987	1411	286	1859

[Note: Abortions <13 weeks and >13 weeks do not add up to the total number of abortions because of incomplete reporting to the State Health Department.]

It can be seen that in 1983, 422 teens obtained abortions after the first trimester. That number represented 16.5% of the total number of abortions on teens.

In 1985, the first year the parental consent law was in effect, the number of teens obtaining abortions after the first trimester dropped to 349. This number represents 15% of the total number of teen abortions. The number of second and third trimester abortions on teens continued to drop through 1987 when 286 post-first-trimester abortions were reported. This represented 15.4% of the total teen abortions.

These statistics demonstrate that, subsequent to the implementation of a parental consent law, the number of teens obtaining abortions after the first trimester decreased. Moreover, the percentage of teens obtaining abortions after the first trimester, in relation to the total number of teens having abortions, also decreased.

In summary, there is no support for the claim that parental consent laws cause later and riskier abortions. There is data to support the contention that such laws decrease teen abortions AND teen pregnancies.

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PARENTAL CONSENT LEGISLATION HELPS
REDUCE TEENAGE PREGNANCY, ABORTIONS

In April of 1986, Virginia G. Cartoof and Lorraine V. Klerman presented their analysis of the impact of the Massachusetts Parental Consent Laws in the American Journal of Public Health. On the basis of the data presented in their study, they concluded, "These analyses indicate that the major impact of the Massachusetts parental consent law has been to send a monthly average of between 90 and 95 of the state's pregnant minors across state lines in search of an abortion...Massachusetts minors continue to conceive, abort and give birth in the same proportions as before the law was implemented."¹

While an examination of Table 1 of their study indicates a drop in the yearly total of abortions (and in the monthly average of abortions) following implementation of the law, the authors claim that this drop is solely the result of the number of out-of-state abortions found in Table 2.

TABLE 1—Number of Abortions to Women Ages 18 and Over, and 17 and Under in Massachusetts: 1978—1982 ²

Year	No. Abortions by Age (years)	
	18 and over	17 and under
1978 total	36,113	4,632
Monthly average	3,009	386
1979 total	38,845	5,221
Monthly average	3,237	435
1980 total	38,901	5,113
Monthly average	3,242	426
1981 total	37,672	3,370
January—April average	3,385	380
May—December average	3,017	231
1982 total	37,573	2,802
Monthly average	3,131	234

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TABLE 2—A Comparison of Actual and Predicted Observations of Abortions to Massachusetts Minors, May 1981—December 1982

Month/Year	Actual In-State	Actual Out-of-State	Actual Totals	Predicted Totals
1981				
May	226	69	295	306
June	229	86	315	368
July	248	112	360	321
August	253	120	373	385
September	240	99	339	281
October	247	108	355	314
November	193	70	263	282
December	215	67	282	277
1982				
January	244	100	344	328
February	238	93	331	320
March	263	107	370	341
April	226	86	312	315
May	212	91	303	291
June	217	112	329	315
July	246	108	354	327
August	223	101	324	394
September	210	94	304	300
October	244	86	330	314
November	223	75	298	283
December	256	88	344	279
TOTALS	4,653	1,872	6,525	6,341

However, it is critical to note that the totals given for Table 2 cover the entire 20 month period after implementation of the law; Table 2 is not broken down into the 8 months of 1981 covered by the law, followed by the first full year covered by the law, 1982. By breaking down the data, the actual number of out-of-state abortions can be determined for these two time periods. (See Table 2A.)

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Table 2A —A Comparison of Actual and Predicted Observations of Abortions to Massachusetts Minors, May 1981–December 1982

Month/Year	Actual In-State	Actual Out-of-State	Actual Totals	Predicted Totals
1981				
May	226	69	295	306
June	229	86	315	368
July	248	112	360	321
August	253	120	373	385
September	240	99	339	281
October	247	108	355	314
November	193	70	263	282
December	215	67	282	277
Total	1,851	731	2,582	
8 mo. avg.	231	91	323	
1982				
January	244	100	344	328
February	238	93	331	320
March	263	107	370	341
April	226	86	312	315
May	212	91	303	291
June	217	112	329	315
July	246	108	354	327
August	223	101	324	394
September	210	94	304	300
October	244	86	330	314
November	223	75	298	283
December	256	88	344	279
Total	2,802	1,141	3,943	
12 mo. avg.	234	95	329	

By including the actual number of out-of-state abortions in the annual totals from Table 1, the actual number of annual abortions (and the monthly average of abortions) for each year can be determined. (See table 1A.)

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Table 1A - Number of Abortions to Massachusetts Women, aged 17 and under,
Including Out-of-State Abortions

Year	Total (in state)	Total Out-of-State*	Annual Total	Monthly Avg.
1978	4,632	-	4,632	386
1979	5,221	-	5,221	435
1980	5,113	-	5,113	426
1981	3,370	731 (8 mos.)	4,104	380/323
1982	2,802	1,141 (12 mos.)	3,943	329

(*Note: For the purpose of this study, the authors state, "The effect of the omission of out of state abortions to Massachusetts minors in the pre-intervention period is compensated for by the inclusion of in state abortions to non-Massachusetts minors..." p.399)

According to the adjusted figures, the actual number of abortions for 1981 and 1982 were 4,104 and 3,943 respectively. Therefore, in 1981 there was a decrease of 1,009 abortions from 1980; the decrease in 1982, the first full year of the law's implementation was 1,170 less than in 1980. Additionally, the authors of the original study point out that the decrease in abortions could not have been attributed to a rise in the number of births; in 1981, there were 22 fewer births than in 1980, and in 1982, there were only 7 more births to minors than in 1980.⁴ If the combined figures for abortions and births are taken as an indication of the number of pregnancies, it would mean that there were 1,031 fewer pregnancies among minors in 1981, and 1,163 fewer pregnancies in 1982.

While it is true that abortions for women of all ages in Massachusetts began a gradual decline after 1979 (see Table 1), it is important to note that the decline in abortions for minors from 1980 to 1982 was seven times greater than it was for women 18 years of age or older (23%, compared to 3%).

Based on the data presented, it can be accurately stated that the 20-month period following the implementation of the Massachusetts Parental Consent Law witnessed a substantial decrease in the number of abortions and pregnancies among minor girls, despite some increase in the number of out-of-state abortions. While there may be other factors which contributed to the decline during this time period, no other reports underline the likelihood that parental notification and consent have a positive lasting impact in reducing the incidence of teenage pregnancy.

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2-19-90

First, in 1981 the state of Minnesota passed a Parental Notification Law requiring minors to inform their parents or guardians prior to obtaining an abortion. Data obtained from the Minnesota Department of Health indicates that this legislation had a positive impact in reducing teenage pregnancy; between 1980 and 1984, the following decreases took place:⁵

births decreased	from 2,033 to 1,654
abortions decreased	from 2,327 to 1,395
pregnancies decreased	from 4,360 to 3,049

These figures represent a 7.9% drop in the birthrate, a 32.2% drop in the abortion rate, and a 20.9% drop in the pregnancy rate for teens under the age of 18. Geographic considerations of the state of Minnesota reduce the likelihood that out-of-state abortions accounted for this decrease.

Second, in a report on School Based Health Clinics researched in 1986, a similar trend of decline in teenage pregnancies for Massachusetts was noted in a slightly broader age group, teenagers aged 15-19; between 1981 and 1984, the following decreases took place:

births decreased	from 7,334 to 6,932
abortions decreased	from 10,179 to 7,332
pregnancies decreased	from 17,513 to 14,254

Based on population figures, these numbers reflected a decrease in the abortion rate from 39/thousand to 31/thousand, and a decrease in the pregnancy rate from 67/thousand to 60/thousand, with the birth rate remaining relatively unchanged. (Source: Mass. Dept. of Public Health).⁶ This data seems to suggest a distinct correlation between the legislation and a sustained decrease in teenage pregnancy.

Furthermore, a 1986 Harris survey conducted for Planned Parenthood revealed that teenagers believe that fear of disease, the impact of a pregnancy on one's future and consideration of parental reaction are the 3 reasons most likely to convince their peers to delay sexual activity.⁷ Clearly, parental involvement plays a key role in reducing teenage sexual activity, subsequent pregnancy and /or abortion.

In summary, it can be stated that the implementation of Massachusetts Parental Consent Law has resulted in fewer abortions among minor girls, despite some increases in the number of out-of-state abortions; a corresponding decline has been observed in at least one other state, Minnesota, and indications from data from the Mass. Dept of Public Health tend to indicate that the decline has sustained itself through 1984. The importance of parental involvement and consent/notification must be acknowledged, and cannot be ruled out as a significant factor in reducing the incidence of teenage pregnancy and abortion.

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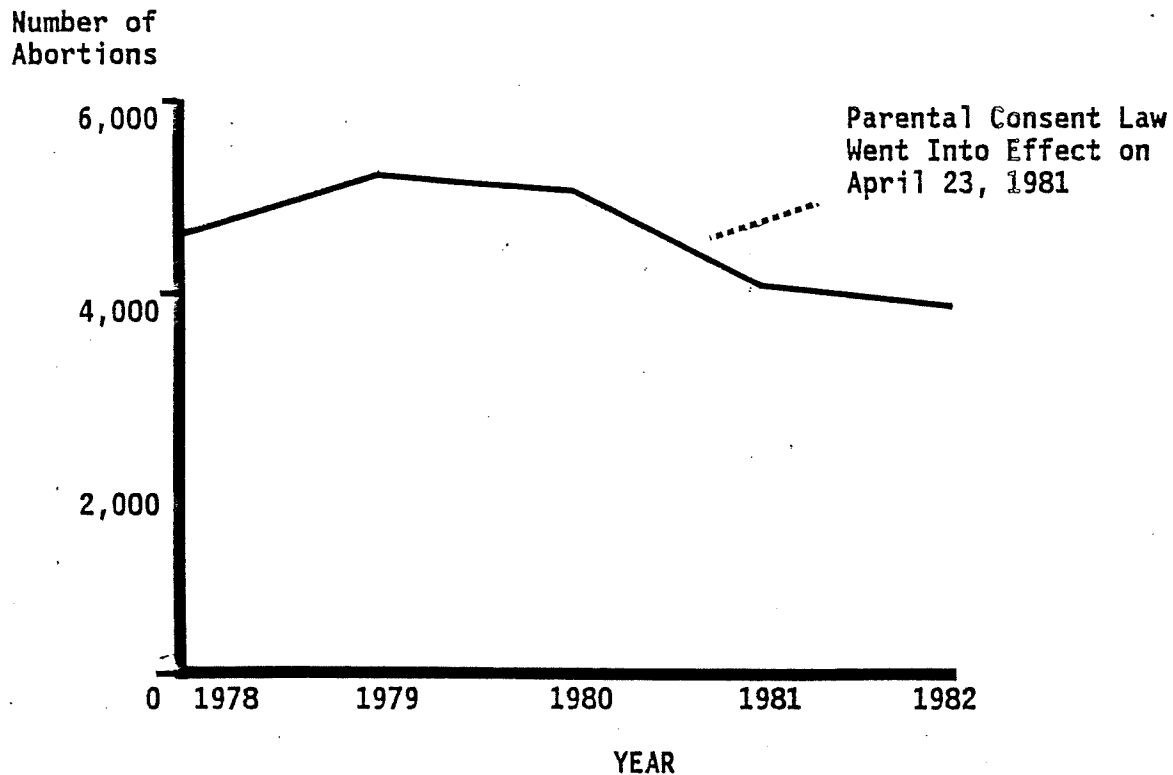
REFERENCES

1. Virginia G. Cartoof and Lorraine V. Klerman, "Parental Consent for Abortion: Impact of the Massachusetts Law", American Journal of Public Health, Vol.76, No. 4, April 1986, p. 400
2. Ibid., p. 398
3. Ibid., p. 399
4. Ibid., p. 399
5. Minnesota Department of Health
6. Massachusetts Department of Public Health, Vital Statistics of Mass. (1981-1984)
7. Louis Harris and Associates, "American Teens Speak: Sex Myths, TV and Birth Control", 1986, p. 43

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3A-10
2-19-90

PARENTAL CONSENT LAW REDUCED NUMBER OF TEEN ABORTIONS IN MASSACHUSETTS

**NUMBER OF ABORTIONS TO MASS. WOMEN
AGED 17 AND UNDER, 1978-1982
(Including Out-of-State Abortions)**



TOTAL NUMBER OF ABORTIONS TO MASSACHUSETTS WOMEN, AGED 17 AND UNDER

Year	Total In State	Total Out of State*	Annual Total
1978	4,632	-	4,632
1979	5,221	-	5,221
1980	5,113	-	5,113
1981	3,370	731	4,104
1982	2,802	1,141	3,943

Source: Data from Tables 1 and 2, Virginia G. Cartoof and Lorraine V. Klarman, "Parental Consent for Abortion: Impact of Massachusetts Law," *American Journal of Public Health* (April 1986), v. 76, no. 4, pp. 398 and 399.

*For the purpose of this study, the authors state: "The effect of the omission of out of state abortions to Massachusetts minors in the pre-intervention [pre-April 1981] period is compensated for by the inclusion of in state abortions to Massachusetts minors. . . ." (p. 399).

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FEDERAL AND STATE AFFAIRS COMMITTEE

H.B. 2663

Prepared by

ROBERT E. ZORNES
Executive Administrator
THE L.I.G.H.T. House
4715 Rainbow
Shawnee Mission, Kansas

February 19, 1990

HOUSE FEDERAL & STATE AFFAIRS
Attachment No. 4
February 19, 1990

I am speaking to you today as a counselor, parent and administrator of the LIGHT HOUSE, a home for unwed mothers located in Kansas City. I have counseled and been intricately involved with teen-age mothers for the past five years, and have been directly involved with teens for the past fifteen years.

The idea of allowing a minor child to enter an abortion clinic to obtain the surgical procedure of an abortion without the knowledge of her parents, meets with no logic, nor is it consistent with any other present laws in the state of Kansas.

The decision on this bill before you must be one of common sense and consistency. I urge you to not allow politics to cloud your thinking, but to use common sense in thinking through this issue.

Our question today is, why are we allowing a 16 year old girl to have an abortion in secrecy without her parents' knowledge? That same young girl that is allowed to abort her baby without her parents' knowledge cannot:

1. obtain a marriage license without her parents' signature,
2. bet at the dog track,
3. purchase cigarettes legally until the age of 18,
4. drink alcoholic beverages until age 21,
5. vote until age 18,
6. serve in the armed forces,
7. be admitted to a hospital without parental consent unless in imminent danger of dying,
8. enroll in school unless accompanied by her parent,
9. be given Tylenol at school without a note from her physician, or
10. pierce her ears at a boutique without her parents' consent.

Yet, that same teenager is allowed to enter an abortion clinic to obtain an abortion without her parents' knowledge. That is clearly not in the best interest of our Kansas teens.

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Over the course of the past five years, we at the L.I.G.H.T. House, have counseled with thousands of pregnant teenagers. We have confirmed their pregnancy tests and they have confided in us their worst fears, even before they have told their parents. Yes, many are afraid to tell their parents. But I have learned oftentimes that fear is unwarranted. I've been there when the girls have called their parents to tell them they are pregnant. To their surprise, their parents are much more understanding and supportive than they ever dreamed.

Some may try to confuse the issue by talking about the dysfunctional family. You should not look at a few isolated cases to make your decision. We have personally counseled with hundreds of frightened, pregnant teenagers from dysfunctional families. Many times they are afraid of how their parents are going to react. But, I have found that more times than not, the parent is supportive, and has the child's best interest at heart.

We must do everything we can to bring families together and not build barriers. That pregnant teenager needs her family's support. Many times, she is not thinking rationally, and could make decisions she may later regret.

A teen may not be aware of all her alternatives. She may choose an abortion, because it's the quick and easy way out, and she won't have to tell her parents. However, her parents could help her explore all the alternatives.

In her confusion, a pregnant teen may forget to inform the abortionist of a medical condition of which he should be aware. She may go home with complications that may scar her for life, or even worse, take her life. This could be avoided with parental notification.

In a national N.Y. Times/CBS News Poll, taken on September 29, 1989, **83% favored** parental notification. USA Today conducted a poll on January 2, 1990 and **72% favored** parental notification.

Let the figures speak for themselves. Parents want and need to be involved in their child's medical care.

Without parental notification, a valley is created between parent and child. Your job must be to bridge that gap. Parental notification will help draw families together in the times of crisis, not rip them apart.

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Parents are responsible for providing necessities for their children until the age of 18 years. This includes food, clothing, shelter, and medical care. Failure to do so may constitute abuse or neglect. After their daughter suffers complications from the abortion, it is mom and dad who are responsible for the girl's medical bills.

An abortion is usually not a life threatening situation. It is not unreasonable for a teen to wait 48 hours and for her own parents to be involved in this very important decision. It is common sense and logic.

I urge you to support H.B. 2663.

Thank you.

FSA
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2-19-90

TESTIMONY HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

PARENTIAL NOTIFICATION - FEBRUARY 19, 1990

Representative Barr, members of the committee; I am speaking on behalf of Right To Life of Kansas, Inc. in favor of House Bill 2663 and in strong oppositon to other so called parental involvement bills pending before you. HB 2663 was modeled after the Minnesota statute which is currently before the United States supreme court and which we expect to be upheld by that court. It is the only parental involvement or mandatory notification bill before you. HB 2779 and Senate Bill 91 while purporting to involve parents and while purporting to require notification - in fact do neither if the girl objects. There would be parental involvement only if the minor chose to involve her parents and no legislation is needed for her to do that. I heard a reporter last night say that the Governor had introduced a bill that would require abortionists to notify the parents of minors under 16 before they could perform the abortion. I was wondering when the governor introduced a bill I didn't know about and I looked up the word require in the dictionary. A requirement is something "essential". The only thing "required" in HB 2779 is that the girl be given every opportunity to legally evade and bypass her parents.

Under Section 2 (b) "If a minor objects to notice being given her parent" the physician is required to refer the minor to SRS for assistance in bypassing her parents. It is not clear if this section might apply to any physician who would be consulted by a minor, even including a physician who is morally opposed to abortion. We believe this section potentially violates the rights of conscience of prolife physicians who could be forced to choose between disregarding their conscience and jeopardizing their license to practice medicine. These proposals then are worse than do nothing legislation because they may violate physicians rights and certainly violate parental rights by involving SRS and in the case of SB91 school counselors in assisting children to lie and evade the authority of their parents.

What we are discussing today is an issue of parental rights and is only made necessary because abortionists are presently violating parental rights and violating the laws of majority which prevent physicians from performing other surgery on a legally incompetent minor. Under common law the physician who does so can be held liable for assault and battery. In the topsy turvy world of "abortion rights" parents now find it necessary to fight for a law to protect their child from from assault by a stanger for hire.

You will hear a "horror story" of a young woman who was supposed to have been harmed because she was afraid to tell her parents she was pregnant - but what of the young women who have died from botched legal abortions. And we do not have to go all the way to Indiana to find such a case. Recently a minor girl died on the operating table of a Kansas City, Kansas abortionist. The parents were responsible for the funeral expenses of this young girl.

Do you sanction the abortionists right to intervene in family relationships as you do if you fail to pass HB 2663 or if you pass legislation with the bypass provisions of 2779 or SB 91 who will be responsible for the medical bills of an injured young woman - and who will pay for the abortion? If the state or the abortionist wish to assume the authority rightly belonging to parents, must they not also assume the responsibilities? Why is that not a part of the governor's bill?

If we do not allow parental notification we are effectively severing parental rights without due process or just cause. Again only in the topsy turvy world of abortion rights would such a thing even be considered in America.

You will be asked; what about the dysfunctional family and the abusive parent. First of all we must clearly distinguish between abusive behavior and only inappropriate - or what we might term to be - inappropriate behavior. There must be a recognition that we cannot write legislation that would reach only those parents who might either act inappropriately or abusively. There is no way to determine that a parent will react inappropriately. Any legislation that attempts to address those situations must necessarily exclude other parents - the so-called good parents. We cannot deny to those parents their parental rights without just cause simply because there may be a class of parents who might respond in an inappropriate manner. We have not the right to dictate to a parent what is an appropriate reaction or to deny them their rights because we think they may react differently from what we consider to be appropriate.

With regard to abusive, or potentially abusive behavior, we have no way to determine such potential behavior and therefore in order to deny notification to abusive parents we must necessarily deny it also to non-abusive parents. In no other case - even with the most flagrant actual reports of abuse do we sever parental rights without due process. Even if the child is in imminent danger and authoritys take custody of the child the parents are notified. How then can we consider refusing to notify a parent in this case.

If the girl is fearful of abuse we have child abuse laws that protect children in such situations. Permitting the minor to get out of the "jam" she is in with her pregnancy will not solve the problem of an abusive parent. How will you prevent abuse in the next situation. If a parent is so inclined the child may do something else tomorrow or the next day to incite the parent's anger. Would the abortionist lobby have us stick our heads in the sand like ostrichs and ignore the problem? The truth is it is not abuse they are worried about its making sure that everyone has the opportunity to kill their unborn child.

We urge the adoption of HB 2663 without amendments.

Pat Goodson, Legislative Director

Chairperson Barr and members of the committee, I am Cleta Renyer, lobbyist for Right to Life of Kansas. I have come before this committee today to testify on the notification issue not because I have a wallet full of credentials, but because I am a parent.

Being a mother is my full-time occupation. I have a lot of experience at mothering being blessed with 13 children, five of whom are 18 and under, four of these are girls.

The notification bill would effect these four girls if passed. I believe my girls would tell me if they became pregnant out-of-wedlock but if they choose to go to another

I would expect to be notified before they could obtain an abortion.

I am sure they would be scared and embarrassed to tell us. They might even say, "I can't tell my parents, they will kill me." Kids being kids would say the same if they missed a curfew by an hour. Most parents would react with a mixture of anger and dissapointment, but love and time will bring them around so together, Mother, Father, and daughter, they can make a decision that all of them can live with.

I believe that House Bill #2663 is the notification bill to pass because it does not have a judicial by-pass. The by-pass would be another way for the system to come between the child and the family. As Will Durant says, "The

family can survive without the state, but without the family all is lost.

I was doing some lobbying for Right to Life of Kansas, when the irony of working on the notification bill struck me. Last week, my youngest daughter, 10, needed a permission slip to take two cough drops at school, and I am down here trying to get a bill passed so I can be notified if my daughter would want an abortion. If she needs permission to take a little coughdrop it surely looks like I could be notified if she was seeking an abortion, or as we call abortion at our house, seeking to kill her unborn baby.

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STATE OF KANSAS

MARVIN E. SMITH
REPRESENTATIVE, FIFTIETH DISTRICT
SHAWNEE AND JACKSON COUNTIES
123 N.E. 82ND STREET
TOPEKA, KANSAS 66617-2209



TOPEKA

HOUSE OF
REPRESENTATIVES

February 19, 1990

COMMITTEE ASSIGNMENTS
VICE-CHAIRMAN: TAXATION
MEMBER: EDUCATION
TRANSPORTATION

TO: HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

RE: PARENTAL NOTIFICATION
HB 2663

Madam Chairman and Members of the Committee:

I support HB 2663 as drafted. The bill is desired by many Kansans that believe in traditional family values. Most Kansans that adhere to strong family values believe that parents should be involved in the decision and consequences of an abortion. I want to assure you that according to the questionnaire tabulations in the 50th District, a very strong majority support and want legislation this year for parental notification prior to an a abortion for teenage women.

Surely, 1990 is the year that the House Federal and State Affairs Committee will affirm that Kansas adheres to strong family values and report HB 2663 favorable for passage.

Thank you for your consideration on this proposal.

February 8, 1990

Dear Marvin,

I am writing to urge your support of the Parental Consent Law and the Parental Notification Bill without amendments.

Many people make a play on words by saying I am personally against abortion but I believe in a woman's right to choose. Such a remark is simply straddling the fence and not taking a stand at all. Can anyone in his right mind say:

I don't believe in murder, but I believe in a person's right to choose, or I don't believe in running a red light, but I believe a person has a right to choose to do so, or

I don't believe teenagers should be rebellious toward their parents, but it is their choice?

Unless a woman is raped, I believe she made her choice already when she entered into the act that caused the pregnancy. Mature people recognize that they have to accept the responsibility for their actions.

I'd appreciate your support of the ~~two~~ bills mentioned above, and no amendments, please.

Most gratefully,

HOUSE FEDERAL & STATE AFFAIRS
Attachment No. 7A
February 19, 1990

February 19, 1990

Testimony of Richard B. Wolters
Representing Hugoton Chapter
Christian Council for Positive Action
HC-01 Box 2B
Hugoton, Ks 67951 (316-544-2500)

RE: Parental Notification Bills (2663 and 2779)

We favor HB 2663 as presented. We do not desire amendments that would water it down and dilute it to nothing.

We strongly oppose HB 2779. It appears to us to be a parental non-notification bill and that it would tend to encourage more abortions rather than to discourage them.

In our presentation before the committee we presented a fictional dialog between a legislator and God. Why is this relevant? Why does it matter about God? In the next few paragraphs I'll state briefly why it is relevant.

The lady in the dialog mentioned many problems. These problems included economic, financial, children, drugs, alcohol, marriage, and AIDS. The Bible indicates that such problems may be related to spiritual matters. In Galatians 6 God tells us that we will reap what we sow. If we sow to please our sinful nature we will reap destruction. If we sow to please the Spirit, from the Spirit we will reap eternal life. In Deuteronomy 28 we are told that those who love and obey God will be blessed and that those who don't will be cursed. It goes on to mention as curses many of the problems mentioned above.

Could it be that we have forgotten God and that we are reaping a harvest of destruction?
Is there a relationship between the serious problems mentioned above and spiritual matters?
Are we practicing separation of God and state rather than separation of church and state?
What does God think about abortion? Does "Thou shalt not kill" mean anything?

It's not the "In Thing" to speak of God in places like this. However it is necessary because He is our only hope and salvation. I urge you to act with boldness in obedience to Christ for your own good and for the welfare of the people of Kansas.

With Great Concern

Richard Wolters

HOUSE FEDERAL & STATE AFFAIRS
Attachment No. 8
February 19, 1990

TESTIMONY - H.B. 2779

House Federal and State Affairs Committee

Monday, February 19, 1990 - 1:30 p.m.

KANSAS CATHOLIC CONFERENCE

BY: Robert Runnels, Jr., Executive Director

Madam Chairperson, members of the House Federal and State Affairs Committee, my name is Bob Runnels, I am Executive Director of the Kansas Catholic Conference and speak under the authority of the Roman Catholic Bishops of Kansas.

It is a pleasure for me to be with you today and give testimony regarding House Bill #2779.

The principle of parental involvement must be paramount in a child's life. A child with a pregnancy problem needs the strong support of parents during perhaps the most frightening challenge a child would have to face in her young life.

It is inconsistent with reality not to have parental support during this trying pregnancy period.

We find this bill faulted in several areas but could give it our limited endorsement if this committee would change the age requirements from those under 16 years of age to those below 18 years of age seeking an abortion.

Around the country each time a parental notification bill, or any pro-life legislation has begun to show signs of possible passage, those who oppose life bills try to gut the legislation by proposing that it apply to only those below 16 years of age. They know most teenage abortions take place with young girls who are 16 or 17 years of age. The number of 15, 14, and 13 year olds getting abortions is very small. Following are some basic principles of law that demonstrate why parental notification

for an abortion should apply to those below 18 years of age.

1. The state has determined that a minor is not responsible enough to buy and consume alcohol until they are 21 years of age.
2. A minor cannot buy cigarettes until they are 18 years of age.
3. A parent is responsible for the care and basic needs of a child until they reach the age of 18.
4. A parent is held responsible for any vandalism that a minor does until age 18.
5. A parent is held responsible for medical bills for a child until 18.
6. If a minor runs away from home, they can be made a ward of the court and put into a foster home until age 18.
7. In order to get married before 18 a minor must get the written consent of a parent.

* * * * *

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DATE: February 19, 1990

TO: HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

FROM: Mary Jane Whelan, R.N., C., A.R.N.P.

TOPIC PARENTAL NOTIFICATION FOR ABORTION

Representative Barr and members of the Committee.: My name is Mary Jane Whelan. I am a registered nurse and have been an advanced registered nurse practitioner for 14 years. I provided primary care, in collaboration with a physician in an outreach clinic for 11 years. Most recently I functioned in the advanced role in a family planning clinic for 2½ years. This clinic provided services to all age groups, and was located in a University town with approximately 90% of clients being high school or college age women.

My duties in family planning made me acutely aware of degrees of maturity, and the possible consequences of immaturity.

I found of younger clients:

1. Had a lack of interest in side effects and possible complications of medications.
2. Frequently gave inadequate health histories due to vagueness or improper response.
3. Were more likely to be noncompliant to regime.
4. Had a lack of interest in abnormal findings with greater failure to respond to attempts of notification.
5. Missed appointments and showed a lack of interest in follow up care more frequently.
6. Were goal orientated with little regard for health care issues i.e. interest was centered on "when do I start the medication, when am I safe and how does the package work"

HOUSE FEDERAL & STATE AFFAIRS
Attachment No. 10
February 19, 1990

I felt that care to minors was somewhat compromised without the involvement that parents provide in a traditional primary care setting. I generally observed much greater maturity in college age clients. I perceive that separation from parents, lifestyle decisions, and educational judgements encourage emotional growth.

I found the most devastating diagnosis that I had to give a client was that of an unplanned pregnancy. The reaction was almost always one of shock, disbelief, fear and panic. It was my experience that the younger the client, the greater the response. The majority had never seen a health care provider without being accompanied by a parent, and parents had been involved in all of their major crisis.

My experience has been that PARENTS are of primary concern to girls under 18, rarely boyfriends or significant others. Usually teens do not FEAR their parents in this traumatic situation, but rather want to PROTECT them. Because of this shielding they make decisions that will have a life long effect on their lives, and frequently with only the support and guidance of other immature teenagers.

I have counseled young women who suffer anorexia and changes in sleep pattern, personality change, emotional outbursts, and severe depression. I have seen several who suffered an great sense of loss and began trying to conceive shortly following an abortion. I have also on one occasion seen a young girl confined to an intensive care unit for 4 days from a septic abortion. She was literally fighting for her life. Abortion is **not** a procedure without complications.

As a health care professional, I am against relinquishing parental involvement from any surgery preformed on a minor, whether it be an abortion or a tonsillectomy. Disclosure of correct medical

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history is essential to safety prior to any surgery, even the extraction of a tooth. It is crucial that the ability to cope emotionally be carefully evaluated by parents. Furthermore, as a professional well aware of differences in physicians and facilities, I cringe at the thought of parents surrenderng the choice of quality care for their daughters.

A parental notification law will serve to protect minors both physically and emotionally. I urge you to support H.B. 2663 as it was written. Children **under 18** need family support. It is neither safe nor correct to allow abortion on minors without parental knowledge.

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Federal State and Affairs Committee

Last year I addressed this Federal & State Affairs Committee when my son Aaron was only six days old. I am here once again to ask the Legislators of the State of Kansas to pass a law protecting teenagers from their own immaturity. If you were present at this hearing last year, you may recall my testimony in regards to the day I almost aborted my son.

If it had not been for a pro-lifer who spoke with me outside the abortion clinic, I would have made a tragic mistake. After learning more about the development of my unborn child and realizing that these people were willing to give me the support I needed to have the baby, I took their advice and told my parents about my pregnancy. If I had not been afraid to let my parents down, abortion would not have even been a consideration, for they were much more understanding than I had expected and fully supported my decision to carry the pregnancy to term. I've often heard it said that pro-lifers care only for the unborn child-but I'm here to say that these people have stood by my side, were at the hospital when Aaron was born, and the one who actually stopped us outside the abortion clinic is here with me today-and she is one of the best friends I could ever have!

Now I am happy to announce that Aaron is nearly eleven months old and life is truly going our way. My husband's job is going well, we've just purchased our first home, and I am now attending my second semester of college.

Without having a Parental Notification Law, we are not allowing the parents of this state to help teenage girls, like myself, make the best decision for all who are involved. For all too often, as I have seen in others, an unexpected pregnancy can bring about a quick, regrettable decision. Please make your vote support parental involvement.

Thank you,

Tammy L. Palmer

Tammy L. Palmer
Wichita, Kansas

For those who perhaps missed my story last year- I have submitted copies again today.

HOUSE FEDERAL & STATE AFFAIRS
Attachment No. 11
February 19, 1990

3/25/89

Parental Rights Bill:

Tammy's Story,

My name is Tammy and I'm from the Wichita area. This month I celebrated my 18th birthday and I delivered my first baby! This was to be my Senior year of high school, looking forward to cheerleading, prom, and even a chance at being Homecoming Queen. In the July before my Senior year I had just returned from Cheerleader camp when I went to an abortion clinic for a free pregnancy test. My worst fears became reality. You can imagine how I felt anticipating my final year of high school and learning that I was pregnant. Words cannot actually describe how I felt. I was confused, shocked and panicky. At the time, I felt the only one I could share my fears with was Gary, whom I'd been dating for two years. He came right over and found me in tears. Not knowing what to say or do, we sat for a few minutes in silence. The silence was broken when he finally asked "What are we going to do?"

I was living with my father and stepmother at the time. There was no way I could tell them, especially my dad. He always had such high expectations for me, and my relationship with my stepmom just wasn't as close as I would of liked. Without actually knowing any of the facts about abortion, Gary and I tried to convince ourselves that abortion was the easiest choice and our only answer. Since I still had another year in high school, and Gary was only making \$4.20 an hour in a grocery store, we had nothing to go on.

Without giving it any further thought, I called the abortion clinic once again to make an appointment under an assumed name. The woman I spoke to sounded very caring, and I felt relieved after talking to her. She assured me that there would no pain or danger involved in aborting my pregnancy of seven weeks.

The next morning Gary and I drove to the clinic. We sat in the car in silence. Gary asked me if I was ready, all I could do was cry. I didn't really want to do it, I was scared. I just needed someone to tell me that it would be O.K. and that we could work through having this baby with a little help and support. But I didn't know that at the time. I was so confused. I started in the clinic with \$275.00 cash in hand, when a couple of pro-life sidewalk counselors approached us. They gave us literature and calmly informed us of other alternatives. They offered us that support we needed not to go through with the abortion and convinced us that we should consider telling our parents. I was relieved to have changed my decision.

After gathering enough courage to tell our parents we found them much more understanding and supportive than we had expected, with the exception of my dad and stepmom, who pressured me to consider

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adoption or abortion. Upon my refusal, my dad told me I better not come home for a few days. I then moved in with my mom. But after the shock wore off, my dad and stepmom realized that our decision of keeping the baby was the best decision. Before, they were just thinking of me and not the baby, as most do when they first find out.

Gary and I had always planned on getting married someday, but since the time of our decision to keep the baby, we have grown closer and just recently married. Although I will never be Homecoming Queen, I feel that in turn for what I've lost, I have gained so much more. So far, I'm still planning on going to college and Gary got a better job at a aircraft company whose insurance will cover the delivery.

I realize that as a young married couple with the increased responsibility of our baby, Gary and I will face some very difficult times. But I feel confident that we will work through them, because we've already dealt with some of the most difficult decisions we will ever have to face.

We were fortunate enough to have someone outside the clinic to give us the support we needed to make the right choice. All girls my age need support to help them make the right decision, but that support shouldn't come from the abortion clinic staff. It should come from someone who knows which option will be in our best interest. And who's in a better position to provide that support than those who know her best...her parents. Without parental consent, it is too easy for us to make the wrong decision. At first, I didn't want to tell my parents, but I was relieved after I did and felt alot better. Though at first they were iffy, we've all grown closer as a family through this situation. My husband and I and our families are all excited about the birth of Aaron.

Please make parental consent the law,

Sincerely,

Tammy
Tammy

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Wichita Alliance of Evangelical Churches

Dick Kelsey,
Executive Director

Executive
Board Members

Gene Williams,
President

Ray Cotton,
Vice President

Joe Wright,
Secretary

David Brace,
Treasurer

Members At
Large:

John Click

Tom Macy

Lyle Bolen

Don Duncan

Jim Spurgeon

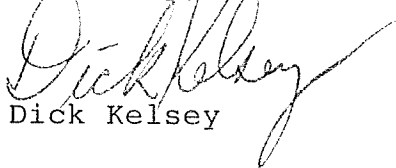
February 19, 1990

Federal and State Affairs Committee:

On behalf of the Kansas Association of Evangelicals and the Wichita Alliance of Evangelicals, I urge you to give positive consideration to parental rights legislation. We believe that since parents are legally responsible for their children until age 18, they should also have the opportunity to be involved in a decision by a minor daughter to have an abortion. Teenagers should clearly understand that they are responsible to their parents and parents need to be involved in important decisions by their young people.

Thank you for giving positive consideration to this legislation.

Sincerely,



Dick Kelsey

HOUSE FEDERAL & STATE AFFAIRS
Attachment No. 12
February 19, 1990

February 19, 1990

Testimony before the Federal and State Affairs Committee.

Testimony in support of the Parent Notification Proposal.

Dear Chairperson Ginger Barr and members of the Committee:

I am Lacy McMullen from Manhattan, Kansas. As the mother of two teenage daughters, I feel compelled to appear before this committee and express my feelings. I am concerned that my daughters can get an abortion with out my knowledge or consent because of the lack of Kansas laws. Do you feel this is fair to us as parents, that we have no control over our daughters bodies when an abortion is being considered. How can a young person between the ages of 13 -18 know what the right decision would be in a situation like this. They are on such an emotional roller coaster all through adolescence that a decision made with out parents consent could devastate and scar this "child" the rest of her life.

Did you know that teenagers must have parents consent to have any kind of surgery and this includes ear piercing? Just recently, I had to accompany my daughter to sign a consent form so she could get her ears pierced. But, if she should happen to want an abortion...she could drive 20 miles to Junction City (an example) and get one with out my knowledge. Is this logical? By the way, my daughter is against abortion and has supported me in my stand in favor of the Parent Notification Act. As for my stand on abortion, I am totally against it when it's being used as a form of birth control. And I'd say most young girls under the age of 18 are using abortion as a form of birth control. Our States lack of restriction in this area appears to encourage teenage promiscuity.

I have read that in Minnesota after a similiar Parent Notification bill was enacted, statistics from 1980-1983 show abortions to teens decreased 40%, births decreased 23% and pregnancies decreased 32%.

As a parent, I constantly try to stress openness in communication and express my love and beliefs to my children. But then our government comes along with their abortion laws that says anyone can get an abortion at any age, during any time of pregnancy up to and including the ninth month. That overrides all that I believe in.

I gave birth to my daughters and I have every right to know if an abortion is being considered. I ask you to vote for the PARENT NOTIFICATION BILL, so that the responsibilities of the parents can continue to be ours, so that we may keep our girls' best interest in mind.

For those of us who say we are Christians, it says in the Bible in Exodus 20:12 states

"Honor your father and your mother, that you may have a long life in the land which the Lord, your God, is giving you".

With the plain and simple abortion laws we have now..how can our girls honor us..if they choose to abort without our consent..this goes against God and His teachings.

As parents, we are to financially, emotionally and physically care for our young as only we, of course, want to and to do the best job possible...but then the government comes in and tells us we have no control over our girls decision if they want an abortion. WHERE IS OUR DEMOCRACY AS PARENTS, VOTERS AND TAX PAYERS!!!!

I thank you for this opportunity to voice my opinion on this subject and I know that I speak for the majority of parents in Kansas. Please don't let our children continue to make decisions such as abortion. We must be honest with one another, so that we can unite as a family, become a stronger unit, so that America can be a better place to live. And in closing, I'd like to quote my favorite Christian psychologist Dr. James Dobson, who says "Remember that lasting love and affection often develops between people who have survived a crisis together".

February 17, 1990

Carie Ann Lickly
4301 S. Handley, #1
Wichita, Ks. 67217
Date of birth: 6-5-70

When I received a positive pregnancy test I was afraid I couldn't afford a baby. I didn't go to my parents because I was afraid of what they would say. My older sister had married first and then had children and I just didn't want my parents to be disappointed in me.

Two or three weeks later I made an appointment for an abortion at Dr. Tillers clinic on E. Kellogg for 11:30 a.m., April 1, 1989. I believed I was approximately 9 weeks along.

When the doctor started the abortion the pain was terrible. I have had one child and know what labor feels like and this pain was worse. They gave me gas to calm me down. After awhile they said they were done and I could sit up and get dressed. They all left the room. Five minutes later the Dr. came back in and said that I had to get undressed again. He was very angry about something. I said "no!" It had hurt so bad the first time I couldn't do it again. But he said they had run into some difficulties and he was going to have to do it again. I did as I was told and this time the pain was unbelievable. It also seemed to take longer and I kept telling him it felt like he was sucking my ovaries out. He assured me he wasn't. After he was done this time I was aloud to leave. As I left I told a nurse that I was hurting still really bad. She was unconcerned and said it was to be expected. My friend went to the store and got my medication and took me home. I continued to have abdominal pain through the day and night. Around 2:00 a.m. I started passing blood clots. The next day the pain increased to the point that I couldn't get out of bed. At 1:30 a.m. the next morning I called a friend who helped me out of bed, got me dressed and rushed me to St. Joseph Hospital Emergency room. There they checked me out and admitted me. I was running a fever of over 100° and by this time the blood clots were the size of baseballs.

When Dr. Michael Brown, OB/GYN finally came to see me, he ordered some tests, did a sonogram and examined me. He said it looked very bad and he might have to do a hysterectomy. He was concerned that my uterus might have been punctured and said something else about my bowls.

It was at this time that I called my parents. I only told them I was in the hospital for an infection. They came but didn't know about the abortion until right before I was taken into surgery.

A scope was inserted in my belly-button and another incision was made above my pubic bone. Later I learned that my uterus and bowels were o.k. and a hysterectomy was not done. There had been alot of placenta and other tissue left in my uterus from the abortion that had become infected. I stayed in the hospital another day and checked out Friday a.m..

My parents took me home and cared for me. They were very sad for the lost baby and that I had been put through so much hurt. My mom said she wished I had come to her and we could have worked it out. I have felt ever since that what I did was wrong and that I did truly let my parents down.

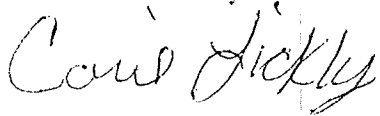
I still would like to know what went so wrong at the abortion clinic. Dr. Brown told my mom at the hospital that I had been approximately 7 months pregnant.

I will allow my medical records to be reviewed by anyone who wants to confirm my story.

I'm telling this very painful story because I support a law requiring parental concent or at least notification for any girl under the age of 18 seeking an abortion. I was 18 when I made my decision but had this happened to me just few months earlier and I had been 17 my parents would have been responsible for the large hospital and doctors bills and there is no way they could have paid them. As it turned out, the state picked up the bills because I had a medical card. I was not mature enough and I was not knowledgeable or responsible enough to have made the decision I made and parents should at least be warned of what kind of financial obligations they might be getting into should the abortion go wrong. I am living (thank God) proof that things can go very wrong.

Thank you for your time and concern.

Carie A. Lickly



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Madam Chairman, fellow legislators, lobbyists
and guests:

1. I am here representing the Knights of Columbus on a very important issue. It is the issue of abortion. I am here as a proponent of HB 2663. The parental notification bill introduced by representative Arnie Lucas of Highland. Representative Lucas bill requires that parents must be notified that it must be done in writing and applies to minors under the age of 18 years old. The parental notification bill would let parents who know about their daughter pregnancy possibly exert influence on their daughter's decision or exercise legal options to prevent the abortion. This bill does not legitimize any abortion, but provides notification of it.
2. Minors often lack the ability to make fully informed choices that take into account both immediate and long range consequences of their actions; the medical, emotional, and psychological consequences of abortion are serious and of indeterminate duration, particularly when the patient is a minor.
3. When the patient is a minor the parents ordinarily possess information essential to a physician's exercise of best medical judgment concerning their children's and that parents who are

aware that their minor daughter has had an abortion may better ensure that the minor receives adequate counseling and medical attention from any complications which may result.

4. There would be bypass if required by the court
5. There would be no SRS involvement
6. Finally if enacted this bill would make a violation punishable as a misdemeanor.

I would like to close my testimony in this committee by us to work together and urge our legislators to enact into law HB 2663. (The parental notification bill)

I believe my position against abortion can be summed up as follows by reading these Life Principles. And by stating this Kansas Pro Life Update. It is up to us people in Kansas who support our stand against abortion and I urge our senators + representatives to support and make our laws to protect our unborn babies and let them have a freedom of choice to live and become good citizens.

Thank you for listening to me.
Arthur J. Bayle
Lobbyist for the K of C.

LIFE PRINCIPLES

These Life Principles express the ideals motivating ~~pro~~^{for}-life Americans

We hold these truths to be self-evident: That all human beings are created equal and are endowed by their Creator with certain inalienable rights among which is the right to life, and

THEREFORE,

The right to life of each human being shall be preserved and protected by every human being in the society and by the society as a whole, and

The life of each human being shall be preserved and protected from that human being's biological beginning when the Father's sperm fertilizes the Mother's ovum, and

The life of each human being shall be preserved and protected from the biological beginning throughout the natural continuum of that human being's life by all available ordinary means and reasonable efforts, and

The life of each human being shall be preserved and protected at each stage of the life continuum to the same extent as at each and every other stage regardless of state of health or condition of dependency, and

The life of each human being shall be preserved and protected to the same extent as the life of each and every other human being regardless of state of health or condition of dependency, and

When there is any doubt that there exists a human being's life to preserve and protect, such doubt shall be resolved in favor of the existence of a human being, and

When two or more human beings are in a situation in which their lives are mutually endangered, all available ordinary means and reasonable efforts shall be used to preserve and protect the life of each and every human being so endangered.

~~WHEREFORE, PURSUANT TO THESE PRINCIPLES, we recommend and urge the adoption of a Mandatory HUMAN LIFE AMENDMENT to the Constitution of the United States of America~~

KANSAS PRO-LIFE UPDATE

In 1973, the U.S. Supreme Court made abortion legal throughout America during all nine months of a woman's pregnancy. But, in Kansas, abortion had already been essentially unrestricted since 1969! For over 20 years, the Kansas Legislature has failed to pass even minimal controls over our state's abortion industry.

Kansas teens can get an abortion without their parent's knowledge or consent. Over 12,000 unborn babies died in Kansas in 1989. Kansas has become a mecca for late-term abortions: a private, out-patient clinic in Wichita does abortions after 24 weeks gestation; even our state supported medical school performs abortions on unborn children that are old enough to survive outside the womb. The University of Kansas is also involved in fetal experimentation (i.e. organs from aborted babies are "harvested" and used in research). The Kansas Supreme Court has even rejected feticide cases; thus, the drunk driver that kills an unborn child cannot even be prosecuted for a capital offense.

You can help to stop the killing! Two parents' rights bills will be considered by the State Legislature in Topeka between now and April, 1990; either could save over 1200 babies every year. The Parental Notification Bill would require parents to be notified before their minor daughter could have an abortion. A second bill, the Parental Consent Law, would prevent the abortionist from performing the procedure unless both parents approved. Both bills will strengthen the family and your control over your minor daughters. Please write or call your state representative and ask him to support both bills without amendments [many pro-abortion legislators want to weaken the bills so they apply only to girls under age 16, rather than all minors (under 18). Additional letters should be sent to Governor Mike Hayden and Speaker of the House Jim Braden. All three can be contacted at:

The Honorable _____
The State Capitol
Topeka, KS 66612

THIS BULLETIN INSERT HAS BEEN PROVIDED BY KANSANS FOR LIFE, YOUR STATE'S AFFILIATE TO THE NATIONAL RIGHT TO LIFE COMMITTEE. ALL MAJOR PRO-LIFE GROUPS IN KANSAS AND THE KANSAS ASSOCIATION OF EVANGELICALS AND THE KANSAS CONFERENCE OF CATHOLIC BISHOPS ENDORSE EITHER THE PARENTAL CONSENT &/or THE PARENTAL NOTIFICATION BILLS. QUESTIONS MAY BE DIRECTED TO OUR STATE OFFICE:

KANSANS FOR LIFE
3202 W. 13TH STREET
WICHITA, KS 67203
(316) 945-9291



COMMITTEE on PUBLIC AFFAIRS

*Kansas-Nebraska Convention of Southern Baptists
5410 West Seventh Street, Topeka, Kansas 66606
"...seeking God's answer to today's moral issues..."*

HOUSE OF REPRESENTATIVES - FEDERAL AND STATE COMMITTEE

CONFEREES - JOHN YEATS

Legislative Liaison - Committee on Public Affairs,
Kansas/Nebraska Convention of Southern Baptists
Pastor Shawnee Heights Baptist Church; Topeka, Kansas

Part of the dilemma of HB2663 is that the debate is focused in the peripheral issues of abortion rights. You will hear emotionally charged testimony from both "pro-life" and "pro-death" groups.

The testimony is true that HB2663 will save the lives of many yet-to-be born children and if passed, abortuary operators do face a substantial economic loss. Both groups will testify that their position is the "most caring position."

However, the primary issue of HB2663 is the State's position on the promotion of positive family life. Our State's heritage has historically supported the ideals of positive family living. You as legislators have the awesome responsibility of adopting or rejecting bills that foster family life; the kind of family living that cultivates generations of solid, upstanding citizens of excellent character.

HB2663 addresses the issue of family order and responsibility. Current Kansas Statutes support the role of parental responsibility for un-emancipated minors below age 18. Currently every other medical procedure must have the consent of a parent or guardian prior to initiation. HB2663 is unique in that the abortion procedure will only require notification, not consent.

We appeal to you as our Representatives to take the leadership role in reaffirming and re-establishing responsibility in this very intimate, and very family area.

I would urge you to consider passage of HB2663 and please do not amend the age of a minor on this issue. I know you sense the tension between pro-life and pro-death special interest groups. But the appropriate position is PRO-FAMILY. Your electorate constituency will always be supportive of their representatives who uphold a standard supportive of family life.

John Yeats
(913) 266-5600

HOUSE FEDERAL & STATE AFFAIRS
Attachment No. 16
February 19, 1990

TESTIMONY FOR PARENTAL NOTIFICATION

February 19, 1990

Madam Chair and Members of the Committee:

My name is Valerie Joens and I am a lobbyist for Kansans for Life, which is the State affiliate to the National Right to Life Committee. Kansans for Life currently has 54 chapters throughout the state.

As you know, Kansans for Life has always supported parental involvement legislation and this session we are endorsing House Bill #2663 sponsored by Artie Lucas and 31 other representatives.

Kansans for Life with the majority of Kansas favors parental notification legislation and feels that parents should have the right to be notified that their minor daughter is seeking an abortion.

We all know too well that facing a crisis can be overwhelming and often times causes us to take an action that later we regret. Often times our emotions lead us to believe there is only one way out of the situation. Minors, as well as adults, often lack the ability to make good decisions on their own when faced with a crisis. Parental notification gives parents the opportunity to help their daughter with a pregnancy.

Parents need to know their daughter is seeking an abortion in order to deal effectively with any complication that may arise and offer support during this time. Parents are responsible for any medical bills as a result of complications from an abortion. Often times girls will suffer with bleeding and infections.

By no means does parental notification deny the right to an abortion, but the lack of parental notification denies parents access to information regarding the health and welfare of their daughter.

I would like to share one testimony from a teen member of American Victims of Abortion. (Taken from a brief filed with the Supreme Court on October, 1986.

We all know that we all deal with circumstances differently but the burden of handling a teen pregnancy should be shared with the parents. In Kansas during 1988 there were 39 abor-

tions reported for the ages of 10-14 year olds and 1,447 reported for 15-19 year olds. (Taken from Annual Summary of Vital Statistics, Kansas Department of Health & Environment). How many girls like Teresa do we have in Kansas?

A Newsweek Poll last July showed that 75 percent of the respondents believed teenagers should have parental permission for an abortion. (Newsweek: January 8, 1990).

We urge the Kansas Legislature to pass House Bill #2663.

STATEMENT OF INTEREST OF THE AMICI

The amici Teresa Wibbelsman, Holly Trimble, and Lora Hoobler are women who procured abortions as minors without their parents' knowledge. To a large extent their abortion decisions were uninformed. In retrospect, they believe that 24 hours notice of their abortions to their parents would have significantly altered their experiences dealing with their problem pregnancies. The amici are aware of the Illinois 24-hour parental notice requirement at issue in this case, and they offer their experiences to the Court to illustrate the need many young girls have for that protection in making abortion decisions.

Teresa Wibbelsman was sixteen years old when she learned she was pregnant. She had been raised in a Catholic home and attended parochial schools. All she knew about abortion was that it would "take care of" the problem. No one at the family planning center, where her pregnancy was diagnosed, offered her any counseling except a referral to an abortion clinic. She made her decision to abort primarily because she was afraid to tell her parents of her pregnancy; she didn't want them to know she had disappointed them. Her boyfriend took her from her Ohio home to a Louisville, Kentucky, abortion clinic. At the clinic she signed consent forms which were placed in front of her without explanation. She does not remember reading the forms. The only counseling she received at the clinic was a brief description of the abortion procedure using a plastic anatomy model, given to a group of seventeen girls at once.

Teresa's abortion proceeded smoothly and she suffered no known physical complications. The abortion exacted an emotional toll, however. Teresa blocked the abortion from her mind but her self-worth had plummeted. She slipped into promiscuity and drug and alcohol abuse. She began to play what she calls "car games" — closing her eyes while driving over bridges, or accelerating on the freeway and closing her eyes until fear forced her to open them again.

Five years after Teresa's abortion, her fifteen-year old sister was impregnated on a "date rape." Teresa's sister, rather than obtaining a secret abortion, went to her parents with her problem. Together, they decided that the child would be carried to term and placed for adoption. Seeing her sister's trust in her parents and their warm support for her in her crisis produced feelings of jealousy in Teresa, causing her to wish she had handled her pregnancy the same way.

Nearly six years after her abortion, Teresa consciously acknowledged that she felt tremendous guilt over the abortion. Although she was still unmarried, she determined a time when she would be fertile and deliberately became pregnant on a "one-night stand." She made adoption arrangements in Louisville. Her little girl was born on the anniversary of her abortion. Teresa took her to Louisville for adoption to "replace" the child Teresa had aborted there.

Teresa is convinced that if she had known at the time of her abortion decision what she now knows about her parents' supportive reaction to a problem pregnancy, she would not have chosen to abort. Thus a 24-hour parental notice requirement would, in Teresa's case, have saved her from the anguish which followed a decision that turned out to have been wrong for her.

Holly Trimble was also sixteen years old when she became pregnant. She was personally opposed to abortion, but she was afraid her parents would be hurt if they knew of her pregnancy. Her boyfriend's older brother and his girlfriend persuaded her that obtaining a secret abortion was the best thing for her to do. Holly recalls that she was not in good condition to make a decision; the pregnancy made her feel ill, and she was vomiting every day. Although she was ten weeks pregnant, she believed at the time that her fetus was just a "little egg." Prior to her abortion, she asked a matronly counselor at a state family planning office

of women felt badly after abortions. "No, they're usually relieved because they can go on with their lives," she was told. "Sometimes a woman is bothered if she feels the fetus move before her abortion and she thinks it's alive; but she shouldn't because it's really not."

Within a week of her abortion, Holly *did* begin to feel badly about it. Because the purpose of her abortion was to hide her pregnancy from her parents, she couldn't talk to them about her turmoil. When *Life* magazine ran pictures of ten-week-old fetuses, Holly saw them and became horrified at what she had done. She felt intense guilt whenever she saw a baby. Eventually she sought help from a priest and her conscience was temporarily assuaged.

Nine years later, Holly had married and become pregnant. She had learned more about fetal development and was acutely aware of the new life she was carrying within her body. That awareness stirred up memories and remorse over her earlier abortion. Her depression became so severe that she sought professional help. Her psychiatrist finally hospitalized her in the psychiatric ward of a local hospital three months after the birth of her son. Eventually she was referred to another psychiatrist who placed her on anti-depressant medication for several months. Only after careful counseling did she improve to the point where she was able to go through another pregnancy and post-partum period with very little depression.

Holly still looks back at her abortion decision with great regret. She believes that if she hadn't felt it necessary to shield her parents from knowledge of her pregnancy, she would not have obtained her abortion. She also is certain that, if she had been exposed to information about fetal development at the time of her decision, she would have chosen to carry her child to term.

Lora Hoobler was seventeen when she became pregnant. She and her boyfriend assumed without discussion that she

would get an abortion. She knew that her parents felt abortion was wrong, but she did not want them to know she was pregnant. She visited a women's clinic and saw a counselor who scheduled her abortion. The counselor gave her no information on fetal development or abortion complications but did ask her, "Are you going to freak out on us?" Lora did not know what she was referring to and answered, "No." Lora didn't consult with anyone else about her abortion. She recalls that she didn't want to think about what she was doing because deep inside she believed her decision was wrong.

The abortion was performed. Lora regained consciousness in the operating room and saw a tube filled with the blood and tissue that had been extracted from her body. The reality of what she had done hit her "like a brick". She remembered her parents saying, "Abortion is murder." Lora wept uncontrollably for 45 minutes until the clinic staff sent her boyfriend in to remove her.

Lora suffered from severe depression for two years following the abortion. When she found some literature showing details of fetal development, she was amazed and appalled. She felt betrayed. Even though she had not understood what she was doing until after the abortion was over, she carried a heavy burden of guilt. She broke up with her boyfriend and became what she describes as "hopelessly" promiscuous. She tried drugs and alcohol. Her depression did not lift until she had a "born again" religious experience.

Lora cannot say for certain that a parental notification requirement would have changed the outcome of her pregnancy. She does know that she made an uninformed abortion decision, the price of which was very high for her and which she now regrets as the worst decision of her life. She believes consultation with her parents could have resulted in a different decision.

PSA
17-4
2-19-90

Teresa, Holly, and Lora are associated with the amicus American Victims of Abortion. AVA is a national organization of persons whose lives have been adversely affected by abortions, their own or a family member's. The objective of AVA is to provide a forum for these individuals to educate legislatures and the public about the tragic consequences of abortion for some women. Based on the experiences of AVA members who obtained abortions as minors, AVA supports legislation, such as Illinois' parental notification requirement, which may protect young women from making uninformed abortion decisions. ✓

BRIEF AMICUS CURIAE NOTE

The Questions Presented and The Statement of the Case are omitted from this Amicus Curiae Brief since they are fully stated in the Appellant's Brief of Neil F. Hartigan.

SUMMARY OF ARGUMENT

A problem pregnancy requires a woman to make one of the most complex and difficult decisions of her life. Her consideration of multiple social, economic, and moral factors may be hampered by the physiological and psychological changes produced in her by the pregnancy itself. Many women do not know, at the time of their decision, that abortion can produce a severe post-traumatic stress disorder.

Minor women, in particular, are often ill-informed about pregnancy and abortion and unable to make mature, rational decisions in their own best interest. This Court has recognized that immature minor women are in need of special protection in making critical decisions, even where that protection results in a limitation on their exercise of constitutional rights. The Court has also recognized that

the furthering of parental consultation in minor women's abortion decisions is a constitutionally permissible end.

Illinois' 24-hour notification requirement ensures sufficient time for parental consultation before minor women obtain abortions. This requirement is a reasonable means to ensure that minors have time to consult with their parents and are thereby assisted in making informed, wise abortion decisions. The purpose of Illinois' 24-hour notification and consultation period distinguishes it from the 24-hour waiting period struck down in *Akron*, which only encouraged additional contemplation by women who had already consulted with their physicians and made informed decisions to abort. FSA 17-5 2-19-90

ARGUMENT*

I. INTRODUCTION

The amici Teresa Wibbelsman, Holly Trimble, and Lora Hoobler share a regret that they decided to obtain abortions as minors without the benefit of their parents' advice and emotional support. Each of them experienced unexpected trauma and remorse following their abortions. Their stories and the similar stories of other members of American Victims of Abortion are typical of a large number of teenagers who make hasty, secret, and ill-informed abortion decisions.

The special attention given to the abortion decision by this Court is well justified. Sociologists are still learning of the complexities of the abortion decision. It has been found that the decision-making processes of women with problem pregnancies involve several stages and numerous influencing factors, such as source of information,

* The author wishes to acknowledge the assistance of Vincent M. Rue, Ph.D., Marriage and Family Therapist and Psychotherapist, Executive Director, Sir Thomas More Marriage and Family Clinics of Southern California.

Colby, Kansas

February 16, 1990

Representative Ginger Barr

Kansas State Capitol

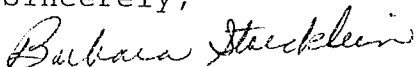
Topeka, Kansas 66612

Dear Representative,

I will be unable to travel across the state to attend the hearings for parental notification for minors seeking an abortion but I would like to express my opinion in this matter. I am a counselor in a crisis pregnancy center and have had personal experience with a daughter who in a time of crisis made a decision for abortion, which she regrets having made. She has experienced a miscarriage and had a near-death experience with a tubal pregnancy both related to the abortion performed when she was a minor. She was ill-advised by her boyfriend's school counselor that abortion would be a simple process and it would be over, but that has been far from the truth in her case.

It is imperative that parents be notified and allowed to assist their daughters and sons in making this decision for their lives while they are minors. We, as parents are liable in all other matters concerning our minor children and this is a right and privilege that should be restored to the family.

Sincerely,



Barbara Stoecklein