

Approved: _____

Date

2/18/99

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL & STATE AFFAIRS.

The meeting was called to order by Chairperson Representative Susan Wagle at 1:30 PM on February 16, 1999 in Room 313-S of the Capitol.

All members were present except:

Reps. Edmonds & Faber, both excused

Committee staff present:

Theresa Kiernan, Revisor of Statutes
Mary Galligan, Legislative Research
Russell Mills, Legislative Research
Judy Swanson, Committee Secretary

Conferees appearing before the committee:

Barbara Saldivar, Kansans for Life
Beatrice Swoopes, Kansas Catholic Conference

Representative Becky Hutchins led testimony in favor of **HB , 2405**, Abortion; parental consent. This bill recognizes a parent's right to be a part of their daughter's choice to have or not have an abortion. (Attachment #1) She supplied Committee members with a Gallup News Service poll. (Attachment #1-1) Rep. Hutchins made some suggested changes to the bill so it would be constitutional.

Barbara Saldivar, Kansans for Life, testified in favor of the bill. (Attachment #2) Over 20 states have some type of parental involvement laws currently.

Beatrice Swoopes, Kansas Catholic Conference, said she represents Catholic Bishops in Kansas, and is in favor of the bill. She said their criteria for supporting a bill is whether it is good for families. She feels this bill is a pro-family bill because it protects minors against their own immaturity, it preserves the family and protects the rights of parents to help their children. She encouraged the Committee to pass the bill.

Conferees answered questions of Committee members.

Barbara Saldivar agreed that if parents do not consent to their daughter's abortion, she has the option of going for a judicial bypass. She said she did know of girls who had mental problems after having an abortion. She did not know if the State would be responsible for medical bills that would arise from mental problems. She said the Women's Right to Know Law gives women all the options they have and she didn't think that needed to be addressed in this bill. She said the parents of a father have no rights.

Rep. Hutchins said this bill was "work in progress" and currently has no provision to remove children from a home if she has to go through the judicial process. Rep. Peterson said the current Child Abuse Law under Code of Protection addresses mandatory reporting when abuse is suspected. Staff, however, said that a judge does not have to report, but may report abuse. She said she thinks there is a need for reporting to gather data on how many judicial bypasses have been granted.

In response to Chair Wagle, Staff said current law provides for reporting the number of pregnancy terminations only. It does not separate minors from adults. This bill would require separate reporting for minors.

Rep. Freeborn felt that passage of this bill might give credence to strong family ties.

Rep. Benlon questioned whether or not this bill would provide more protection than the current law provides. Consent can be overturned by judicial process. She said a girl must be close to death before she does not have to ask for consent per this bill.

Theresa Kiernan said this bill would apply only to minors and women under guardianship. A father's parents have no rights under this bill.

Jeanne Gawdun, Kansans for Life, made herself available for questions. She said the current notification

must be notarized. She did not feel this is a severe enough statement. She wants consent, not notification. She said a physician can decide not to notify a parent now before performing an abortion if it is a medical emergency. She feels the judicial bypass is being abused now, but she had no idea how many are being given.

Chairperson Wagle clarified the following with Gawdun:

She felt a move forward would be to disallow a provider to waive notification, and a reporting law should be enacted. A great concern is that an interested party who can receive money from performing an abortion can currently disallow parental notification.

Chairperson Wagle said there is still much work to be done on this bill if it is to be worked by the Committee. Rep. Hutchins said if New Section 4 causes a great deal of concern, she would not be opposed to deleting that section if the Committee wishes to do so.

Hearing on **HB 2405** was closed.

Rep. Cox made a motion to approve the minutes from Committee meetings of February 4, 8, 9, 10 and 11. Rep. Gilbert seconded the motion. The motion passed.

The meeting adjourned at 3:00 PM

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**HOUSE FEDERAL & STATE AFFAIRS
GUEST LIST**

DATE: 02-16-99

NAME	REPRESENTING
KURT FORD	voter
Jan Sandborede	voter
Mandy Flower	Intern. Senator Goodwin
Rev Murray	Rep Potterff
Nepa Thomas	Voter
John C. ...	State Treasurer
Patricia J. Northcutt	VOTER
Betty Campbell	VOTER
Sarah Wyrook	LWRKS
Peggy L. Neal	LWV/JOKS - KR
Karin Weine	LWV/JOKS
Maud ...	Governor's Office
Michael T. Brady	Student
Suzy Feuerborn	Student
Brad Montgomery	Student
Jake Worcester	Student
Becky Guthrie	Student
Iden Dettke	Intern Sen. Hensley

HOUSE FEDERAL & STATE AFFAIRS

GUEST LIST

DATE: 07-16-99

NAME	REPRESENTING
JESSICA GREIS	VOTER
SANDRA GREIS	VOTER
BEATRICE SWOOPES	KANS. CATH. CONF.
COLLEEN PETERS	VOTER
Mildred Huss	voter
Adam J. Huss	Voter
Joni Koehler	Intern Sen. Stetfor
Barbara Jackson	Kansans For Life
Jeanne Gaudin	KFL
Bruce Demmitt	KFL
Marjorie Duerck	KFL
Alis E. Seitz	KFL
Laurie Williams	Governor's Office
Bruce T. Bahr	Intern
Dee Ann Vanhuyck	Voter
Senis Kriegl	NCPW / League of Women Voters
Barbara Schneck	NCJW, LWVK
Duluth	CHPKM
Barbara Duke	KCA



TOPEKA

HOUSE OF

REPRESENTATIVES

HOUSE FEDERAL AND STATE AFFAIRS

Testimony Regarding House Bill 2405

February 16, 1999

COMMITTEE ASSIGNMENTS

MEMBER: AGRICULTURE
ENVIRONMENT
HEALTH AND HUMAN SERVICES
JOINT COMMITTEE ON HEALTH CARE
REFORM LEGISLATIVE OVERSIGHT

(Handwritten circled number 1)

BECKY HUTCHINS
REPRESENTATIVE, FIFTIETH DISTRICT
JACKSON AND SHAWNEE COUNTIES
700 WYOMING
HOLTON, KANSAS 66436
(913) 364-2612

ROOM 427-S
STATE CAPITOL
TOPEKA, KANSAS 66612-1504
(913) 296-7698

TO: Madam Chair and Members of the House Federal and State Affairs:

Kansas currently has a parental notification law for minors. The U. S. Supreme Court's decisions do allow states to require parental consent, however. Basically, this recognizes the rights of parents to not only know that their minor daughter is seeking an abortion, but also to be involved in the decision making. It is all about respecting the parent's rights as the primary care-givers of their children.

At least 20 states have laws in effect that require the consent or notification of at least one parent, or court authorization, before a minor can obtain an abortion. These parental involvement laws enjoy widespread support among the American people. A 1996 CNN/USA Today survey conducted by the Gallup Organization found that 74 percent of Americans support parental consent before an abortion is performed on a girl under 18.

Parental consent legislation is constitutional. Abortion is an invasive procedure and the state's informed consent law recognizes that it can have serious consequences. It is important therefore, that the parents of a minor, who know her medical and emotional history, be involved in the abortion decision. Parental consent for minors is required for every other type of medical procedure, as well as for the simple acts of a teacher giving a child Aspirin or Tylenol.

In conclusion, I do feel some provisions in HB 2405 were inadvertently left out when the bill was drafted. These provisions can be addressed in a bill I consider a "work in progress".

Thank You,

Becky Hutchins

Becky Hutchins
Representative Fiftieth District

*House Fed + State
Attachment #1
2-16-99*

A GALLUP NEWS SERVICE POLL

JULY 1996 GPNS

-- FINAL TOP-LINE --

AC: 3800 TIMBERLINE: 107302

R: PRINCETON JOB # 96-06-017

N=1000 National Adults

David Moore, Lydia Saad
July 25-28, 1996

RESULTS ARE BASED ON TELEPHONE INTERVIEWS WITH -- 1,008 -- NATIONAL ADULTS, AGED 18+, CONDUCTED JULY 25-28, 1996.

FOR RESULTS BASED ON THE TOTAL SAMPLE OF NATIONAL ADULTS, ONE CAN SAY WITH 95% CONFIDENCE THAT THE MARGIN OF SAMPLING ERROR IS ± 3 PERCENTAGE POINTS.

ELECTION-RELATED QUESTIONS ARE BASED ON -- 844 -- SELF-STATED REGISTERED VOTERS; THE MARGIN OF SAMPLING ERROR IS ± 4 PERCENTAGE POINTS.

GALLUP POLL NEWS SERVICE: JULY 25-28, 1996; [FINAL TOP-LINE]

1

*House Fed & State
Attachment #1-1
2-16-99*

28. Next, do you favor or oppose each of the following proposals. First, ... Next, ... [READ AND ROTATE A-D FIRST, THEN ROTATE E AND F]

		<u>Favor</u> %	<u>Oppose</u> %	<u>No opin</u> %
a.	A law requiring women seeking abortions to wait 24 hours before having the procedure done			
	96 Jul 25-28	74	22	4
	92 Jan 16-19	73	23	4
b.	A law requiring doctors to inform patients about alternatives to abortion before performing the procedure			
	96 Jul 25-28	86	11	3
	92 Jan 16-19	86	12	2
c.	A law requiring women under 18 to get parental consent for any abortion			
	96 Jul 25-28	74	23	3
	92 Jan 16-19	70	23	7
d.	A law requiring that the husband of a married woman be notified if she decides to have an abortion			
	96 Jul 25-28	70	26	4
	92 Jan 16-19	73	25	2

1-1-2
~~1-1-2~~

- Abilene
- Atchison
- Augusta
- Brown County
- Cheyenne County
- Clay Center
- Colby
- Columbus
- Decatur County
- Dodge City
- Doniphan County
- Edwards County
- El Dorado
- Emporia
- Fort Scott
- Franklin County
- Garden City
- Great Bend
- Hamilton County
- Hanover
- Harvey County
- Hugoton
- Hutchinson
- Independence
- Iola
- Jackson County
- Johnson County
- Kingman
- Larned
- Lawrence
- Leavenworth
- Liberal
- Linn County
- Manhattan
- Marion
- McPherson
- Miami County
- Norton
- Olathe
- Osage County
- Osborne
- Ottawa County
- Parsons
- Phillips County
- Pittsburg
- Pratt
- St. Paul
- Salina
- Scott City
- Smith County
- Sublette
- Topeka
- Ulysses
- West Washington County
- Wichita
- Wyandotte County

Colleges & Universities

(12) Chapters

Regional Offices:

Johnson County KFL

10976 W. 74th Ter.
 Shawnee, Ks 66203
 Off. (913) 268-8400
 FAX (913) 268-8486

Topeka KFL

1005 SW 10th
 Topeka, Ks 66604
 OFF. (913) 234-3111
 FAX. (913) 357-0100

Sedgwick County KFL

2501 E. Central
 Wichita, Ks 67214
 Off. (316) 687-0088
 FAX (316) 687-0303



2501 E. Central Ave.
 Wichita, Kansas 67214-4511

1-800-928-LIFE
 (316) 687-LIFE (5433)
 FAX (316) 687-0303
 E-Mail: Kans4Life@aol.com

TESTIMONY IN SUPPORT OF HB 2405

Madam Chairman and Members of the Committee:

My name is Barbara Saldivar and I am a lobbyist for Kansans for Life, the state's largest pro-life organization. I speak on behalf of the tens of thousands of our members when I ask you to support House Bill 2405 and recognize the rights of parents to be involved in their minor daughter's abortion decision.

Currently, over 20 states have some type of parental involvement laws on the books. The American public is overwhelmingly in favor of such legislation. A 1996 Gallup poll found that 74% of Americans surveyed support parental consent before an abortion is performed on a girl under age 18. In addition, statistics have shown that such parental involvement laws help to lower teen pregnancy and abortion rates.

State laws requiring parental consent, with a judicial bypass procedure, have been upheld by the U.S. Supreme Court. Moreover, it is simply common sense to allow parents, who have knowledge of a minor's medical and emotional history, to be involved in such a life-changing decision.

The state of Kansas, through its informed consent law, recognizes the serious consequences of abortion. Surely, then, parents should be allowed to be involved in a decision that may affect their daughter for the rest of her life. It is insulting to say that parents are an "obstacle" to their daughter's so-called "right" to an abortion. Those same parents are pretty important when it comes to giving permission for vaccinations, tonsillectomies, ear piercing, appendectomies, wart removal, receiving aspirin at school, selling Girl Scout cookies, school field trips, etc.... Logic tells us that an invasive procedure such as an abortion certainly warrants parental involvement.

HB 2405 simply gives parents the right to know and be involved in what is going on in their daughter's life when she needs them the most. It is hypocritical to require consent from parents to treat a minor's complications from an abortion, but not to require consent for the abortion itself. You must also realize that organizations like Planned Parenthood, which routinely counsel minors to petition the courts for judicial bypass, have a financial stake in the outcome of the abortion decision. Why is it that their interests are protected when the people closest to the girl are so often left out of the decision-making?

I urge you to please work to resolve any concerns you may have about the bill and to strongly support it. The many loving and dedicated parents in the state deserve to have their rights as primary care givers protected. Thank you for your time and your support of HB 2405.



Kansas affiliate to the National Right to Life Committee

House Fed & State
 Attachment #2
 2-16-99