

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Steven Brunk at 1:30 p.m. on January 26, 2011, in Room 346-S of the Capitol.

All members were present except:

Representative Mike Peterson-excused

Committee staff present:

Mike Heim, Office of the Revisor of Statutes
Doug Taylor, Office of the Revisor of Statutes
Julian Efird, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Stephen Bainum, Committee Assistant

Conferees appearing before the Committee:

Representative Lance Kinzer
Arlyn Briggs
Michael Schuttloffel, Kansas Catholic Conference
Jeanne Gadun, Kansans for Life
Amber Versola, Kansas NOW
Sarah Gillooly, Planned Parenthood, Ks & Mid-Missouri
Douglas Mould, Trust Women, Written Only

Others attending:

See attached list.

The Chairman called for bill introductions. There were none.

The hearing on **HB 2013 Sale and purchase of rifles and shotguns** was carried over from January 25, 2011 and written only testimony from Patricia A. Stoneking was received (Attachment 1). The hearing on **HB 2013** was closed.

The Chairman opened the hearing on **HB 2035 Amending statutes on late-term and partial birth abortions.**

Mike Heim, Office of the Revisor of Statutes, explained the changes to the laws dealing with abortion that **HB 2035** would make (Attachment 2).

Representative Lance Kinzer appeared as a proponent of **HB 2035** (Attachment 3). He said that aside from the parental consent provisions much of the provisions of the bill have been passed by both chambers of the legislature as much as three times but were then vetoed by the governor. The law says that at 22 weeks gestation a determination must be made of viability. If the baby is determined to be viable (able to live outside the mother's womb) then there are two circumstances where abortion is allowed. The first is the life of the mother. The second is where there is a substantial and irreversible impairment of a major bodily function of the mother based on taking the pregnancy to term. The first circumstance has been very rarely used. The second circumstance has been used but no diagnosis was used in the explanation, only a repetition of the statute.

Representative Victors ask what the alternative was for a minor if the parents disagree on the course of action. Representative Kinzer said there was the judicial bypass that can be used in those cases.

Representative Loganbill mentioned that Representative Kenzer loved legal language. Our bills are written with very technical language. The word 'fetus' is a very technical term, so if we want to keep the language as technical as possible we should use 'fetus' rather than 'unborn child'. Representative Kinzer gave two responses. One is that there is an existing inconsistency in Kansas law where in some instances we use the term 'unborn child' and in other instances we use the term 'fetus'. For consistency sake we should pick one. We chose 'unborn child' because it gives a more common understanding than 'fetus'.

Arlyn Briggs appeared as a proponent of **HB 2035** (Attachment 4). He agrees that both parents should

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have the right of consent prior to an abortion. Parents should have the right to any information that is applicable to the case. Abortion providers must seek the consent of the parents or legal guardian.

Michael Schuttloffel gave testimony as a proponent of **HB 2035** (attachment 5). He maintained that abortion does harm women. The church teaches that the deliberate taking of an innocent, defenseless, human life is extraordinarily unjust and evil. The Declaration of Independence grants the right to life to all human beings from conception to death. We are grateful for the fact that this legislation will strengthen parental rights by requiring parental consent before a minor has an abortion.

Jeanne Gawdun presented testimony as a proponent of **HB 2035** (Attachment 6). She said that **HB 2035** will end the situation in which the Attorney General is refused ability to prosecute local cases. Adolescent girls are five times more likely to seek subsequent help for psychological and emotional problems compared to their peers who carry 'unwanted' pregnancies to term. Teens also experience up to 4 times higher rate of suicide compared to adult women who abort. Jeanne Gawdun's attachments are available from the Kansans for Life office.

Amber Versola appeared as an opponent of **HB 2035** (Attachment 7). She said that the bill would greatly limit the access a woman would have to a medical procedure. It also puts abortion providers at greater risk of civil litigation. It would also jeopardize the safety of women who are the victims of domestic violence.

Sarah Gillooly presented testimony as an opponent of **HB 2035** (Attachment 8). She said that some teens can't or won't go to their parents for legitimate reasons. Some live in dangerous homes. Planned Parenthood is opposed to additional restrictions being placed on the judicial bypass process.

Written only testimony was received from Douglas E. Mould, Ph.D. in opposition to **HB 2035** (Attachment 9).

The next meeting is scheduled for February 01, 2011.

The meeting was adjourned at 3:15 p.m.