

**HOUSE COMMITTEE ON JUDICIARY**

**SUBCOMMITTEE ON FAMILY LAW**

**April 17, 1997 Hearing Room 357**

**3:15 P.M. Tapes 71 - 73**

**MEMBERS PRESENT:**

**Rep. Ron Sunseri, Chair**

**Rep. George Eighmey, Vice-Chair**

**Rep. Roger Beyer**

**Rep. Peter Courtney**

**Rep. Charles Starr**

**Rep. Judy Uherbelau**

**STAFF PRESENT:**

**Bill Taylor, Counsel**

**Lisa Fritz, Administrative Support**

**MEASURE/ISSUES HEARD:**

**HB 3532 - Public Hearing and Work Session**

**These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>Tape 71, A</b>		
006	Chair Sunseri	Calls the meeting to order at 3:23 p.m.
<b><u>OPENS PUBLIC HEARING ON HB 3532</u></b>		

014	Gayle Atteberry	Oregon Right to Life Submits and reads aloud written testimony in support of HB 3532 ( <b>EXHIBIT A</b> ).
064	Atteberry	Continues testimony.
076	Sen. Eileen Qutub	District four Testifies in favor of HB 3532. I think it is good for parents to know what an unemancipated teenager is doing. I think it's good for the family. I think it will bring families together.
104	Christina Burns	Resident of Harrisburg, Oregon Testifies in support of HB 3532. Discusses her personal experiences, regarding abortion, at 14 years of age.
145	Robert Thomas	Attorney in Mollala Submits written testimony in favor of HB 3532 ( <b>EXHIBIT B</b> ), but proposes some language changes.
166	Heather Cash	Hillsboro High School student, 18 years old Testifies in opposition to HB 3532. Parental advisory is good for those who have parents that care, but not everybody does. I am appalled with the contents of this bill. I believe it would increase teenage suicide and family problems. It would give girls nowhere to go. If this bill is to ensure that a girl, under 18, will make the right choice because she's too immature to do so herself, I see no point for the bill. If she can't make a choice, she can't raise a child.
186	Sen. Jeanette Hamby	District five Testifies in opposition to HB 3532. Discusses personal experiences, as a nursing instructor, as they relate to the bill.
235	Rep. Jo Ann Bowman	District 19 Testifies in opposition to HB 3532. It is our job, as policy makers, to ensure that the laws of the state are upheld for everyone in the state of Oregon. I believe that HB 3532 will do detrimental damage to people in the state of Oregon. Parents should be involved in every aspect of their children's life, but let's face reality. Here, in the state of Oregon, not all families have ideal homes. I am pro-choice, and I believe pro-choice is a necessity in this day and age. This bill would prevent young women from using every avenue, legally at their disposal, to make appropriate choices for their lives. I would hope that a family member would support a young woman through this, but if not, I would hope that someone in the community would help her and give her the information and support she would need to make appropriate decisions. I don't believe we should legislate how those decisions should be made.
285	Rep. Bowman	Continues testimony.
299	Chair Sunseri	Do you know that the bill has a judicial bypass?
303	Rep. Bowman	Yes, I do. However, I am afraid to talk to judges. I can't imagine a young woman being at ease enough to seek out judicial review.
330	Elinor Hall, MPH	Administrator of the Oregon Health Division Submits and reads aloud

		written testimony in opposition to HB 3532 ( <b>EXHIBIT C</b> ).
380	Hall	Continues testimony.
390	Rep. Starr	We heard testimony, earlier, from a witness who had data, from other states that have this similar law in place, indicating not only substantial reductions in abortions among teens, but reductions in teen pregnancy as well. It seems like those are important goals that our Health Division should be reaching for. I'm really surprised that our Health Division is testifying against a bill with such benefits. How can you justify this?
408	Hall	I'd be very interested in seeing the witness' data. The data we've assembled, in the past, does not show those kind of reductions in teen pregnancies, and they did show increases in illegal abortions and late gestation abortion.
415	Rep. Eighmey	Isn't it also true that, in those states that have parental notification, abortions have increased in other states, due to the fact that teenagers cross the border into those states?
<b>TAPE 72, A</b>		
008	Hall	I have heard that, but I don't have the data.
009	Rep. Uherbelau	I want to clarify something. I have read the testimony that I think Rep. Starr is eluding to and, actually, four states are referred to. There is an article in the paper for two of them, and one was a study published in the <u>American Journal of Public Health</u> . None of them actually refer to a drop in teenage pregnancy. They seem to refer to a decline in abortions. The one in Minnesota does talk about teen pregnancy declining 20.5 percent, but there is nothing here to show that happened because of parental notification. There's no link. Unless we saw the full study, there would be no way to determine whether or not the two are related.
021	Lucy Cate, RN	Lake Oswego Resident Submits and reads aloud written testimony in opposition to HB 3532 ( <b>EXHIBIT D</b> ).
075	Cheyenne Brindle	Salem resident Submits and reads aloud written testimony in opposition to HB 3532 ( <b>EXHIBIT E</b> ).
098	Karen Lord	Salem resident, mother of Cheyenne Brindle Submits and reads aloud written testimony in opposition to HB 3532 ( <b>EXHIBIT F</b> ).
127	Mark Nichols, MD	Associate Professor at Oregon Health Sciences University in the Department of Obstetrics and Gynecology, Oregon Medical Association, abortion provider Submits and reads aloud written testimony in opposition to HB 3532 ( <b>EXHIBIT G</b> ).
177	Dr. Nichols	Continues testimony.
185	Chair Sunseri	Is there statutory authority for parental notification, regarding young women under 14?
189	Dr. Nichols	I am not an attorney. I'm reflecting what current management is for abortion providers in this state. I understand that comes from statute or

		administrative rule, but I can't cite it for you.
192	Chair Sunseri	Does that work well?
193	Dr. Nichols	I believe it does.
200	Rep. Eighmey	The bill says that abortion means the use of any means to terminate the pregnancy of a female. It defines "fetus" as any individual human organism from fertilization until birth. It is my understanding that fertilization occurs when the sperm connects with the egg, fertilizes the egg, the egg floats up the fallopian tube, and the egg attaches to the uterine wall. There are certain devices, one that is called an IUD, that prevent the adherence of the fertilized egg to the wall. Is that correct?
207	Dr. Nichols	That is one of the functions of the IUD. The IUD prevents pregnancy by both preventing conception and by preventing implantation of the embryo.
211	Rep. Eighmey	With the fetus being defined as fertilization, this bill could prohibit the use of an IUD by a woman.
212	Dr. Nichols	Yes.
213	Rep. Eighmey	Is it also true that there is research being performed on a pill called IU486, and there is also the "morning after" pill. Both also prevent the fertilized egg from forming and adhering to the uterine wall. Is that correct?
217	Dr. Nichols	Yes.
220	Rep. Eighmey	This would prohibit IU486, "morning after" pills, and IUDs.
222	Dr. Nichols	I am the researcher who did the study on IU486. We are also looking at other medical approaches. IU486 will prevent implantation, if it used as a morning after pill. They do prevent implantation of the fertilized egg. I interpret that will not be allowed under this bill.
235	Rep. Kitty Piercy	District 39 Testifies in opposition to HB 3532. Discusses her personal encounters, as they relate to the bill. Discusses incest and dangers of illegal abortions. I would rather my daughter not tell me than to have her life endangered.
285	Rep. Piercy	Continues testimony.
312	Lisa Horowitz	Executive Director of the Oregon Affiliate of the National Abortion and Reproductive Rights Action League, Pro-Choice Coalition of Oregon Submits and reads aloud written testimony in opposition to HB 3532 <b>(EXHIBIT H)</b> .
362	Horowitz	Continues testimony.
394	Rev. Scott Harkness	Pastor at one of Salem's downtown churches Testifies in opposition to HB 3532. Relates his experiences, of 20 years in ministry, as they relate to HB 3532.

<b>TAPE 71, B</b>		
020	Sen. Susan Castillo	District 20 Testifies in opposition to HB 3532. I see this bill as a safety issue. Discusses her personal experiences, with a girl she knew as a young woman, as they relate to HB 3532.
036	Rick Davis	Minister in Salem Testifies in opposition to HB 3532. I think we have to look at unintended consequences that could result, if this bill is passed.
053	Mari Yerger	New resident of Portland, Oregon Submits and reads aloud written testimony in opposition to HB 3532 ( <b>EXHIBIT I</b> ).
103	Yerger	Continues testimony.
127	Anne Paden	Director Crisis Pregnancy Center Testifies in favor of HB 3532. Discusses her experiences, involved with crisis centers, as they relate to HB 3532.
164	Diane Bassett	Resident of Keizer, Oregon I don't want to speak of HB 3532 as an abortion bill; I want to speak about the bill as family legislation. I don't view it as an abortion issue, but one of the right of parents to know when their child is going to undergo an evasive, surgical procedure. There is no mention of parental consent, only parental notification, and only one parent needs to be notified. Children can't have their ears pierced without the consent of their parents. Discusses procedures for other surgeries and the need for children to have the support and guidance of their parents.
210	Julie Johnson	Director of Services, Crisis Pregnancy Center in the Portland metropolitan area Testifies in favor of HB 3532. Discusses her experiences, with young women at the Crisis Center, as they relate to the bill. Discusses ORS 109.460, as it relates to abortion.
249	Rep. Beyer	Could you give us that ORS number again?
250	Johnson	109.640.
257	Rep. Uherbelau	ORS 109.460 does not address abortion at all; it just talks about medical treatment, in general.
263	Irv Blake	Parent from Dallas, Oregon Testifies in favor of HB 3532. Discusses Roe v. Wade Parents should always be responsible for the deeds of their children. How can we be responsible if we don't even know that they are seeking an abortion? Children in crisis should not make these types of decisions alone.
312	Dianne Alves	Director of Community Relations and Education for All Women's Health Services Submits and reads aloud written testimony in opposition to HB 3532 ( <b>EXHIBIT J</b> ).
400	Carye Ortman	Director of Counseling at Lovejoy Surgicenter in Portland, Oregon Submits and reads aloud written testimony in opposition to HB 3532 ( <b>EXHIBIT K</b> ).
<b>TAPE 72, B</b>		

001	Ortman	Continues testimony.
051	Ortman	Continues testimony.
081	Charlotte Comito	Citizen Submits and reads aloud written testimony in opposition to HB 3532 ( <b>EXHIBIT L</b> ).
119	David Findanque	Executive Director of the American Civil Liberties Union Testifies against HB 3532. We have grave concerns about the constitutionality of this bill, and we also oppose it on policy grounds.
136	Sharon Scott	The Oregon Chapter of the National Association of Social Workers Testifies in opposition to HB 3532. Discusses her experiences, as a social worker and specialist of counseling teens and their families, for 25 years, as they relate to the bill. HB 3532 is really a civil rights matter. This bill is an attempt to transfer the ownership of a young woman's body to the state of Oregon. Discusses the burden of requesting a circuit court petition and problems associated with the 48-hour waiting period.
186	Scott	Continues testimony.
195	Lois Backus	Executive Director, Planned Parenthood of the Columbia/Willamette Submits written testimony in opposition to HB 3532 ( <b>EXHIBIT M</b> ). Discusses her experiences, as director of an abortion service center, in Pennsylvania (which requires parental notification).
239	Marcia Latta	Women's Rights Coalition Submits written testimony in opposition to HB 3532 ( <b>EXHIBIT N</b> ).
263	Don Crawford	Oregon Christian Coalition Testifies in favor of HB 3532. This is a good bill because it provides young women time and the opportunity to make a responsible decision, with parental support. We are pro-life and pro-family. Discusses his personal experiences, as a father of two teenage girls, as they relate to the bill. We should work toward mediation and the building of positive relationships.
307	Ellie Jenny	Resident of Salem, Oregon Submits written testimony in support of HB 3532 ( <b>EXHIBIT O</b> ).
370	Michael Howden	Oregon Center for Family Policy Submits and reads aloud written testimony in support of HB 3532 ( <b>EXHIBIT P</b> ).
<b>TAPE 73, A</b>		
001	Howden	Continues testimony.
051	Howden	Continues testimony.
060	Chair Sunseri	Closes the public hearing on HB 3532.
		***Written testimony submitted for the record by Candace Steele, resident of Ashland, Oregon ( <b>EXHIBIT Q</b> ), Lisa R. Little, citizen ( <b>EXHIBIT R</b> ), and Megan Brinkley, citizen ( <b>EXHIBIT S</b> ).

<b><u>OPENS WORK SESSION ON HB 3532</u></b>		
<b>066</b>	<b>Rep. R. Beyer</b>	<b>MOTION: Moves HB 3532 to the full committee with a DO PASS recommendation.</b>
		<b>VOTE: 4-3-0</b> <b>AYE: 4 - R. Beyer, Starr, Sunseri, Minnis</b> <b>NAY: 3 - Courtney, Eighmey, Uherbelau</b>
<b>070</b>	<b>Chair Sunseri</b>	<b>The motion Carries.</b> <b>REP. SUNSERI will lead discussion on the floor.</b>
<b>074</b>	<b>Chair Sunseri</b>	<b>Adjourns at 5:20 p.m.</b>

Submitted by, Reviewed by,

Lisa Fritz, Sarah Watson,

Administrative Support Office Manager

**EXHIBIT SUMMARY**

**A - HB 3532, written testimony, Gayle Atteberry, Executive Director and lobbyist for Oregon Right to Life, 4 pages.**

**B - HB 3532, written testimony and proposed amendments, Robert E. Thomas, III, attorney, 1 page.**

**C - HB 3532, written testimony, Elinor C. Hall, MPH, Administrator, Oregon Health Division, 2 pages.**

**D - HB 3532, written testimony, Lucy Cate, resident of Lake Oswego, 2 pages.**

**E - HB 3532, written testimony, Cheyenne Brindle, resident of Salem, 1 page.**

**F - HB 3532, written testimony, Karen Lord, resident of Salem, 2 pages.**

**G - HB 3532, written testimony, Mark Nichols, MD, Associate Professor at Oregon Health Sciences University in the Department of Obstetrics and Gynecology, 2 pages.**

**H - HB 3532, written testimony, Lisa Horowitz, Pro-Choice Coalition of Oregon, 2 pages.**

**I - HB 3532, written testimony, Mari Yerger, citizen, 1 page.**

**J - HB 3532, written testimony, Dianne Alves, Director of Community Relations and Education for All Women's Health Services, 2 pages.**

**K - HB 3532, Carye Ortman, Director of Counseling at Lovejoy Surgicenter in Portland, Oregon, 4 pages.**

**L - HB 3532, written testimony, Charlotte Comito, citizen, 2 pages.**

**M - HB 3532, written testimony, Lois Backus, Executive Director of Planned Parenthood of the Columbia/Willamette, 2 pages.**

**N - HB 3532, written testimony, Marcia Latta of the Women's Rights Coalition, 1 page.**

**O - HB 3532, written testimony, Ellie Jenny, resident of Salem, 2 pages.**

**P - HB 3532, written testimony, Michael Howden, Oregon Center for Family Policy, 3 pages.**

**Q - HB 3532, written testimony, Candace Steele, resident of Ashland, 3 pages.**

**R - HB 3532, written testimony, Lisa Little, citizen, 2 pages.**

**S - HB 3532, written testimony, Megan Brinkley, citizen, 2 pages.**