

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Arlen Siegfroid at 1:30 P.M. on February 19, 2008, in Room 313-S of the Capitol.

All members were present except:  
Representative Mike Peterson - Excused

Committee staff present:

Dennis Hodgins, Kansas Legislative Research Department  
Mike Heim, Revisor of Statutes Office  
Jason Long, Revisor of Statutes Office  
Jeannie Dillon, Committee Assistant

Conferees:

Representative Lance Kinzer  
Dr. Brian Russell, licensed psychologist and attorney  
Michelle Armesto Berge, private citizen  
Kay Lyn Carlson, LMSW, Director of Abortion Recover Center  
Patty Lewis, R. N. Founder of Alexandra's House Perinatal Hospice  
Kathy Ostrawski, Legislative Director, Kansans for Life

Others attending:

See attached list.

Chairman Siegfroid opened the meeting for bill introductions. Representative Don Dahl came before the Committee to request a bill for a day to honor the Civilian Conservation Corps. Moved by Representative Hawk, seconded by Representative Loganbill, without objection, the bill was accepted.

Hearing no more requests for bill introductions, the Chairman opened the hearing on **HB 2615 - Abortion; late term abortion records; reporting** and **HB 2736 - Amendments to late-term abortion laws; reporting requirements; waiver of parental notice; civil remedies for violations of law.**

The Chairman invited Mike Heim, Revisor of Statutes, to the podium for a review of the Special Committee on Federal and State Affairs interim report on late term abortions. Mr. Heim distributed information and reviewed details on the recommendations of the Committee to draft a bill giving Kansas Department of Health and Environment rule and regulation authority specifically to modify late term abortion forms. This form would include a section for a specific clinical diagnosis and a reason and basis for that diagnosis. (Attachment 1)

Jason Long, Kansas Revisor of Statutes, presented a briefing on **HB 2736**. Mr. Long explained that the bill makes several amendments to the laws concerning late-term abortions. Mr. Long gave detailed testimony on each aspect to the bill. (Attachment 2)

Representative Lance Kinzer addressed the Committee as a proponent of **HB 2736**. In his testimony, Representative Kinzer stated that the intent of this legislation is to advance the principles of human dignity, compassion and the rule of law, and all Kansans have a right to expect that existing laws limiting late term abortions in Kansas will be followed and enforced. He further stated that women should have the right to accurate medical information when making a decision regarding abortion. He outlined a number of provisions included in the bill. (Attachment 3)

Dr. Brian Russell, Licensed Kansas Psychologist and Attorney, gave testimony supporting **HB 2736**. Dr. Russell stated that he had grave concern about physicians using psychiatric diagnoses to justify the performance of late-term abortions in Kansas. He stated that he believes that **HB 2736** is sound public policy and should be enacted without delay, with the addition of a provision requiring that women seeking late-term abortions for psychological reasons be informed specifically of the potential psychological consequences of the abortion procedures so that those women are able to factor both their current and

## CONTINUATION SHEET

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anticipated psychological experiences into their decisions. ([Attachment 4](#))

The Chair welcomed Michelle Armesto Berge to the Committee. Ms. Berge shared her experience at an abortion clinic and explained why **HB 2615** and **HB 2736** would have prevented her from aborting her baby. She outlined the following provisions that would have helped her make a more informed decision:

- Women can choose to see the ultrasound and hear the fetal heart tone
- Give women a written diagnosis of viability and period of reflection preceding a late-term abortion and information about hospice and help for delivery of seriously challenged fetus
- Clinics post a sign onsite warning coerced abortions are illegal and informing victim how to contact law enforcement.
- Require the Healing Arts Board to revoke medical license for breaking late-term ban.
- Update the Right to Know booklet

Ms. Berge said that if any of these regulations had been in place, at the time of her abortion, she doubted that she would have had the procedure done. ([Attachment 5](#))

Testimony supporting **HB 2736** was given by Kay Lyn Carlson, Licensed Master Social Worker and Director of Abortion Recovery Center. She specializes in post-abortion counseling and recovery for those who have suffered from an abortion. She stated that the women of Kansas deserve to have all the information made known to them before they make a life changing decision. ([Attachment 6](#))

Patty Lewis, Registered nurse and founder of Alexandra's House Perinatal Hospice, approached the Committee to present testimony regarding hospice and refuge for abandoned babies. Ms. Lewis stated that the grief associated with a natural death was similar to the grief associated with abortion, for families who chose this method of dealing with a baby with birth defects. The preconceived premise was that the abortion would resolve the suffering. ([Attachment 7](#))

Kansans for Life was represented by Kathy Ostrawski, Legislative Director, who spoke in favor of passage of **HB 2736**. Ms. Ostrawski stated that the bill will help the state enforce abortion law, enhance informed consent and enact provisions of the Teen Protection Act which passed the House in 2006. An informational notebook was submitted to the Committee members by Ms. Ostrawski. ([Attachment 8](#))

The Committee members asked questions of the conferees.

After all questions were answered, the Chairman informed the Committee that there were two written testimonies on bill **HB 2775** submitted to them in their packets. The meeting was adjourned. The next meeting is scheduled for February 20, 2008.

Written Testimony submitted:

Judy Smith, Concerned Women for America ([Attachment 9](#))

Beatrice Swoopes, Kansas Catholic Conference ([Attachment 10](#))