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Doreen Baller
Operator's Signature

10/2/03
Date

2003 HOUSE JUDICIARY

HB 1242

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10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1242

House Judiciary Committee

Conference Committee

Hearing Date 2-12-03

Tape Number	Side A	Side B	Meter #
1		xx	26.6-end
2	xx		0-end
2		xx	0-26 & 36-46.1
Committee Clerk Signature <i>A. Penrose</i>			

Minutes: 13 members present.

Chairman DeKrey: We will open the hearing on HB 1242. There will be 45 minutes of testimony, 15 minutes of questions for support and the same for opposition. That will take us to 12:00 noon.

Peter Crary, attorney in Fargo, constituent of Rep. Sandvig: Introduced the bill, support (see attached testimony, letter from Charles Rice). We want to focus on line 8 on the word "intentionally".

Chairman DeKrey: Thank you.

Patrick Delaney, Asst. Director of Public Policy at American Life League in Stafford, VA.: Support (see attached testimony), we are a large grassroots organization who support this bill, but would be willing to support an amendment reducing the penalty for mothers who perpetrate this crime from a AA felony to a class B or C felony.

Chairman DeKrey: Thank you. Further testimony in support.

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Bill/Resolution Number HB 1242
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Martin Wisnashki, Ph.D.: Support. Passed around a picture of a baby and aborted baby. The baby is a person at conception. It is not the abortionists or even the Supreme Court which will bring the wrath of God on America. It is the consent, that we are citizens of this state, give to these actual decrees by allowing them to continue that will seal our judgment. This bill will erase the line of demarcation between person and non-person. It ends the discrimination against the preborn child.

Chairman DeKrey: Thank you. Further testimony in support.

Laurie French: Support, I am pro-life and one nation under God.

Chairman DeKrey: Thank you.

Tim Lindgren, State Director of ND Life League: Support (see attached testimony).

Chairman DeKrey: Thank you.

Patricia Larson, Perry Center of Fargo: Support. I have been counseling post-abortion women for a number of years, and they are not the second victims of this act. They know what they are doing, that they are destroying their children.

Chairman DeKrey: Thank you. The time is up for testimony, are there any questions from the committee.

John Laughton: You mean a private citizen can't speak.

Chairman DeKrey: If there are no questions from the committee, we will take that 15 minutes for additional testimony.

Andy Heinze: Support (see attached testimony).

Chairman DeKrey: Thank you.

John Laughton, from Fargo: Support.

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Chairman DeKrey: Thank you.

Eull Stephenson, Minot: Support. Congress has a bill in it, that will make it illegal to perform an abortion. It will pass. Is North Dakota going to stand up and take the lead?

Chairman DeKrey: Thank you.

Kathy Kirkebee, Fargo: Support. I counsel women outside the death clinic (the abortion clinic in Fargo). Something needs to be done to protect the unborn child.

Chairman DeKrey: Thank you.

Karl Michaelson: Support. I moved to ND from Washington DC around 12 years ago. This is not just a religious issue. I was a teen mother at 15. I was carrying a biracial child and everyone wanted me to get an abortion and I did not do it because I knew in my heart that it was murder. I pray you will vote with your conscience.

Chairman DeKrey: Thank you.

Tim Bedouin, Dickinson: Support. When one wants a baby, it is a baby from the beginning, but when a woman doesn't want the baby, it becomes something else. There is something wrong with this logic.

Chairman DeKrey: Thank you.

Evie Lawrence: Support. I lost my organized list of testimony. I do not consider abortion to be a religious issue, but I think it is a moral issue.

Chairman DeKrey: Thank you.

Brenda Malanaro: Support. This isn't a religious issue, but an economic issue. Just think of the 44 million people that have disappeared from our society and how that will affect our lives when we are ready to retire. They won't be there.

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Chairman DeKrey: Thank you. We will now take testimony in opposition to HB 1242.

Bishop Ziphel: Opposed (see attached testimony). We are completely committed to building a culture of love, which means working to eliminate abortion by overturning Roe v. Wade.

Chairman DeKrey: Thank you.

Rep. James Kerzman: Opposed. I believe in life. I am determined to work in that direction. I have a problem with criminalizing the woman.

Chairman DeKrey: Thank you.

Carol Sawicki, employee of Red River Women's Clinic: Opposed (see attached testimony).

This law would be unconstitutional.

Chairman DeKrey: Thank you.

Stacey Pflilger, Executive Director of ND Right to Life: Opposed. (see attached testimony).

She also presented testimony on behalf of Pauline Economon (see attached testimony).

Chairman DeKrey: Thank you.

Carol Two Eagles: Opposed (see attached testimony).

Chairman DeKrey: Thank you.

Christopher Dodson, Director of the ND Catholic Conference: Opposed. It is uncomfortable for any of us to oppose this bill, and be on the same side as the people who favor abortion. We are opposed to the criminalization of women.

Chairman DeKrey: Thank you.

Christina Kindel, ND Family Alliance: Opposed, we look at the issue as judgment or mercy, we are opposed to the methodology of this bill. We don't want to criminalize women.

Chairman DeKrey: Thank you.

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Andrew Varvel: Opposed (see attached testimony and amendments).

Chairman DeKrey: Thank you.

Shelly Stone: Opposed (see attached testimony).

Chairman DeKrey: Thank you. We will take questions at this time.

Rep. Kretschmar: Question directed to Patrick Delaney - Does your organization work to oppose the death penalty.

Mr. Delaney: I am opposed to the death penalty personally, but the organization does not have a policy in place on that issue.

Chairman DeKrey: Thank you. We will now close the hearing.

(Reopened later in the afternoon)

Chairman DeKrey: What are the committee's wishes in regard to HB 1242.

Rep. Delmore: I move a Do Not Pass.

Rep. Wrangham: Seconded.

11 YES 2 NO 0 ABSENT DO NOT PASS CARRIER: Rep. DeKrey

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Date: 2/12/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1242

House Judiciary Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Rep. Delmore Seconded By Rep. Wrangham

Representatives	Yes	No	Representatives	Yes	No
Chairman DeKrey	✓		Rep. Delmore	✓	
Vice Chairman Maragos	✓		Rep. Eckre	✓	
Rep. Bernstein	✓		Rep. Onstad	✓	
Rep. Boehning	✓				
Rep. Galvin		✓			
Rep. Grande		✓			
Rep. Kingsbury	✓				
Rep. Klemin	✓				
Rep. Kretschmar	✓				
Rep. Wrangham	✓				

Total (Yes) 11 No 2

Absent 0

Floor Assignment Rep. DeKrey

If the vote is on an amendment, briefly indicate intent:

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12/2/03
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