

SPEAKER BARRETT: Thank you. Senator Ashford.

SENATOR ASHFORD: Thank you, Mr. Speaker and colleagues, I'd like to respond to a couple of points, one by Senator Morrissey, if I...he's not here, but he was bringing up the subject, I think Senator Nelson also, whether or why we should get involved or should we get involved and legislated in this area and some other comments were, or should we get involved and legislating in this area this late in the game in the eleventh hour? When I started to discuss or to debate this bill two years ago, the concern that I had and I think I spoke about, was the fact that we already had, in fact, when LB 769 was first introduced, it wasn't until a couple of days into the debate that the fact that we have a law already on the books was interjected into the debate. You all know by now, or you all know certainly, that there is a parental notification law on the books. This is not something that we do not now have and I agree with Senator Schimek and others who have said, generally, that the legal system should not be involved in this type of decision, that it's difficult to write laws in this area and that generally we cause more problems than we solve by legislating in the area of abortion. However, we have a law already on the books, the state has already decided that parents should be notified in the case of an abortion of a minor child. So the way I look at it is this. It's not a pro-life or a pro-choice issue because once the Supreme Court makes its decision, let's take for example, this July, the Supreme Court comes back with a decision and says, parental notification statutes are constitutional and in this case the Minnesota statute is constitutional. At that point, as Bob Spire has said, as Attorney General Spire has said, in all likelihood a federal court would remove the injunction that enjoins our law that it presently is on the books and we would have the parental notification law that is there now. And that law, in my opinion, or that statute is not a fair statute. It is not, in my opinion, a workable statute and one of the problems that it has is that what we're discussing tonight and that is, if a parent is not the proper person to notify, that minor child has no other option, has no other option. So what I am suggesting now with Senator Lindsay's amendment and my amendment is, let's address the deficiencies of the existing law by saying we will put in place an alternative, and there is a repealer in the amendments to 688 that we would eventually come to, there is a repealer of the existing law. We would then put into effect a law which, quite frankly, is a fairer law because you can notify one parent, you