

like to ask you a question, please.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Yes.

SENATOR SMITH: Senator Lindsay, I was fortunate enough to be in the lounge the day that you and Senator Ashford were having a discussion on this bill and I was involved in the concerns that were being expressed, and I've heard you say a number of times that you have a concern with the constitutionality, for instance, of the Lynch amendment that was introduced. On what grounds do you have a concern about those people being informed about the process?

SENATOR LINDSAY: They are not my concerns as much as they are the U.S. Supreme Court's and I guess I would refer to Thornburg v. American College of Obstetricians and Gynecologists.

SENATOR SMITH: Okay. All right, I'm glad you said that because in looking at what you gave me, and I'm not using this against you, you had provided this to me because I had a concern about it, but what about where you have, where it says, held, on page 748, is it?

SENATOR LINDSAY: Okay.

SENATOR SMITH: Number 3, the states are not free under the guise of protecting maternal health or potential life to intimidate women into continuing pregnancies. The provisions of the Pennsylvania Act that the Court of Appeals invalidated wholly subordinate constitutional privacy interests and concerns of maternal health to the effort to deter a woman from making a decision that with her physician is hers to make. Now can you tell me how, doesn't this tie in with their right to know then? If we're going to pass a piece of legislation, we're going to say these girls have to tell their parents, they have to get parental consent, or it goes to some strange judge in some court, God knows where. If I were living in the little town of Campbell, Nebraska, where I was born and raised all those years ago, I would have no idea where to go to get information for myself if I didn't want to go to my parents. Now you tell me if we don't provide for them some place that they can get this information, isn't that against their constitutional rights?