

SENATOR LINDSAY: Right.

SENATOR CHAMBERS: It would seem that the types of notification, if one is more serious than the other, would be the one where the physician or the one performing the abortion would fail to notify the authorities of the commission of a possible crime, and maybe you don't agree with that.

SENATOR LINDSAY: That, I am not sure. It is, and I hate to answer your questions on your time.

SENATOR CHAMBERS: That is all right.

SENATOR LINDSAY: Is the penalty on the failure to notify under 28...

SENATOR CHAMBERS: 717.

SENATOR LINDSAY: ...372 and 711, is that a Class III?

SENATOR CHAMBERS: Yes, and that is why I am supporting Senator Bernard-Stevens' amendment. It is a statute that creates a criminal offense for failure to giving a required notice of these kinds of situations. So since we are dealing with notification, and I pointed out, you can disagree with me, if you want to. We are not talking about whether the person is licensed to give an abortion, or anything like that. We are talking about an abortion that is in violation of this act, and since it is an act that relates to notification, and that is all it really relates to, then a criminal offense based on that failure to give notification should be consistent with the existing statute that makes failure to give notification a criminal offense, and the existing statute is 28-717, which is a part of the group of statutes of which 28-711 is a part. And 28-711 is referenced in 769, so I am supporting Senator Bernard-Stevens' amendment and I am hoping that others will, too, because we are talking really, and I hope you will remember this, not about the abortion itself being illegal. We are talking about an abortion otherwise legal performed in violation of this act, and the thing that could make it a violation of this act is the failure to give notice. And since there already is a penalty for failure to give notice, I think they ought to be consistent, which would be a Class III misdemeanor as it is in the existing law.