

the decision is made not to notify the parents, the court can make its decision, then that decision could be appealed, obviously, if the decision comes down against the minor. We could be talking about a rather lengthy period of time between the time the decision is made to have the abortion and the actual abortion being performed or not performed, as the case may be. So I think time is a particularly important issue and is not antithetical, I don't think, to the idea of parental notification, if what we are getting at here is notifying parents. If that is really the issue, if it is notifying parents and bringing them into the decision-making process, if that is the issue, then I would suggest to you that 24 hours accomplishes that notification as well as 48 hours or 72 hours. If what we are trying to do is stop abortions of minors, if that is the reason for this bill, then I suppose 24 hours probably isn't the proper time. So I guess what we are really getting at is the essence of what we are trying to accomplish with LB 769. The third reason why I think the 24-hour period is appropriate, and we really won't know the answer to this until the Supreme Court makes its decision in the Hodgson case, but in Hodgson vs. State of Minnesota on the appellate court level, I am sorry, this particular reference is on the district court level, there was a great deal of concern about the 48-hour waiting period. The court said as follows: The interest effectuated by the state's 48-hour waiting period could be effectuated as completely by a shorting waiting period. Therefore, to the extent the waiting period exceeds that necessary, exceeds that necessary to allow parents to consult with minors contemplating abortion, it fails to further the state's interest in protecting pregnant minors. Remember here that the judicial bypass is there to protect the minor, to protect the minor child. That is why it is constitutionally required that judicial bypass be there. So if we take time limits and start moving them back, we are getting away from what the constitutional requirement or reason for it is; it is to protect the minor against having to notify a parent or parents in a situation where it would not be in the best interest of that minor to do so. So when we start making it more difficult, more difficult to obtain an abortion by putting on longer time limits, we are really calling into question the constitutionality of the bill. And there is another interesting, I think, and I will wager you here that if the Supreme Court finds against the Minnesota law and they, of course, may or may not do that, but even if they find it constitutional, I will bet you that there is going to be some language in there that is going to call into question the time