

Labeledz uses to justify 769 as constitutional also leaves intact factual findings that the bill does nothing for family communication, does nothing for minors, and does not improve family relations, the very reasons, supposedly, sought to be accomplished by the bill. Those factual determinations, based on health care professionals and the judges who have, in fact, heard these cases in Minnesota, have been unrefuted, unchallenged, and are part of the record that Senator Labeledz uses to justify 769. That, in fact, means that the 8th Circuit, it seems to me, was subtly saying that although 769 may, in fact, be constitutional, it is stupid. It is stupid in the sense that it does not meet and there is no evidence to support that it meets the objectives supposedly cited by its proponents and there is a large body of evidence that it is injurious to the interests of kids and of families. There are also specific problems inside the bill that have never been addressed.

PRESIDENT: One minute.

SENATOR LANDIS: For example, it is claimed by the proponents of this measure that there are no costs to pursuing parental notification. We have in our statutes a \$75 fee or rather cost bond that is required in a case. There is no place in LB 769 where this is waived. This standard statutory obligation of a \$75 cost bond, as far as I can tell on the reading of this bill, still remains in place. In other words, the proponents who say there are no costs simply aren't telling us the truth. Another problem with the bill is that it says that there will be notification, and that notification can be in the form of specific restricted types of mail that you and I are familiar with. It does not say that upon mailing the notification the doctor must wait for the return of the mail.

PRESIDENT: Time.

SENATOR LANDIS: In fact, Senator Labeledz has said that perhaps the doctor need not wait for the return of the mail, but it is not clear on the bill. If you are a doctor at risk here, aren't you inclined to wait for the return of the restricted mail, which can be weeks, which can then prejudice the child's health, because the farther you move along in either childbirth or in the giving of an abortion, the risks in any situation increase the further in the gestation period you are. That remains unclear on the face of the bill. Third...