

parental consultation is appropriate and that they should affect to meet this intent language, declare a majority of those petitions invalid, thereby requiring parental consultation. It should not be for us to identify the numerical preponderance of the results that judges should reach. That is not our intention. That shouldn't be our intention. It is far too reaching, beyond our scope to tell judges basically how we think they should rule and that is what subsection 3 does. Subsections 1 and 2 are basic expressions of sentiment. Subsection 3, particularly the Senator Labeledz statement as to its intent and to whom it is directed, is well beyond what this Legislature should do. We should not be prejudging cases and that's what subsection 3 invites us and judges to do. Let me ask Senator Labeledz one more question.

SPEAKER BAACK: One minute. Senator Labeledz, would you respond, please.

SENATOR LABEDZ: Yes, Senator Landis.

SENATOR LANDIS: Senator Labeledz, you drafted this bill originally, at least according to last year, on Minnesota as a model. Isn't that true?

SENATOR LABEDZ: Yes, that's true.

SENATOR LANDIS: Does Minnesota's model have these three subsections of intent language?

SENATOR LABEDZ: No, it does not.

SENATOR LANDIS: Thank you very much. What we were told was that we had a constitutional provision because it had been measured against the standard of cases in which the Minnesota case and law had been tested in court. There was no intent language in which a Legislature told judges how to rule in that provision. If you want a constitutionally suspect case, I would suggest you put in subsection 3 in which the Legislature tells judges how to rule in their cases and what kind of percentage we expect out of them in the handling of their court cases. That's far beyond the Minnesota rule. It's far beyond what Senator Labeledz told us when she said she was bringing us a bill that would meet constitutional muster and...

SPEAKER BAACK: Time.