

provision and I concur with those people offering the amendment that it does raise serious constitutional questions in regards to this specific section, but on the other hand I also feel that if we adopt this amendment, we have no waiting period. It is an effective way of totally striking the waiting period and that to me is ludicrous, the fact that a woman can say an emergency exists, and if you look at the amendment the physician or the woman can state whether or not an emergency exists, and if the woman solely can state that an emergency exists we are for all practical purposes, taking out the emergency section. So if you accept this amendment that is, in fact, what you will be doing. You will be striking the emergency section. I am not willing to do that. I personally feel that that waiting period, that that period for consideration, that period for discussion, is a valuable tool in this particular subject. I think another thing we also have to remember is that the courts have never really said specifically one way or another whether you can impose a waiting period. That is something that has not been adjudicated by the courts. Therefore, I do not see any problem with putting it in. So I think if you look at the Journal on page 550 you can read that particular section and then you can weigh in your own mind as to whether forty-eight hours is too long to wait or not.

SPEAKER MARVEL: You have one minute.

SENATOR DWORAK: So I personally will definitely vote against this specific amendment.

SPEAKER MARVEL: Senator Venditte, do you want to speak to the DeCamp amendment?

SENATOR VENDITTE: Mr. President and members of the Legislature, I think it would be wise to reiterate what Judge Warren Urbom has said regarding this particular matter which we are talking about right now. The judge said that this is probably, it is probably unconstitutional. He did not say it is unconstitutional. So, what has happened now? Well, okay, one side of this pro-life issue has said this. Well let's leave it in and then if the woman, mind you now, if the woman thinks an emergency exists she should have the abortion now. Is it a woman's decision at this point in time? Hardly. She is not qualified. She is not the doctor. Why would we leave it in the hands of the woman? It no longer becomes a lay person's decision at that point in time. It becomes a medical decision and I would think that the physician, the attending