

February 20, 1979

LB 316

is...oh, John is here? Fine. Senator DeCamp, you have inserted specific language relative to privacy and this is fine and I have no objection to it per se, providing you feel that this bill is specific enough regarding confidentiality so that we do not wind up prosecuting someone through lack of legislative definition of the degree of confidentiality. Do you think the specifications on confidentiality are adequate?

SENATOR DeCAMP: I believe they are. I did not draft them. They were drafted primarily by Senator Hoagland and Senator Johnson who have a deep and abiding concern in this area. I trusted that their draftsmanship and their work in the area was satisfactory. I have reviewed it. I think it is. They maybe could address it in more detail for you.

SENATOR MURPHY: Mr. President, if I may, I would then address the question to either of those gentlemen because I do think it is important. If we are going to get explicit about penalties then I think we ought to be very explicit about the definition and the degree of confidentiality.

SPEAKER MARVEL: Senator Hoagland, do you yield to the question?

SENATOR HOAGLAND: Yes, I do.

SPEAKER MARVEL: Do you pose the question to Senator Hoagland, Senator Murphy?

SENATOR MURPHY: Fine.

SPEAKER MARVEL: Okay. Do you want to state the question again please?

SENATOR MURPHY: Senator Hoagland, my concern is, if we are going to be explicitly punitive in this bill regarding privacy, have we set the explicit parameters of confidentiality so that we are not creating an entrapment here or a situation where a person unknowingly might be in violation of the section you are now inserting in the bill?

SENATOR HOAGLAND: I believe that we are, Senator Murphy, quite clear in the nature of the confidentiality that we are protecting here. On the bottom of page 2, beginning on line 24, begins a sentence, "no person shall disclose any information contained on the written consent or statement of consultation including the identity of the woman seeking the abortion without the woman's written author-