

March 8, 1979

LB 316

one question. Didn't you say earlier that there is a severability clause in this bill?

SENATOR DeCAMP: Yes.

SENATOR CHAMBERS: And if this would happen to be placed into the bill, Senator Venditte's amendment, and if it would happen to be unconstitutional, couldn't it be severed like the other things?

SENATOR DeCAMP: No, I gave you my opinion of that. I said, I think it makes an integral part of the entire informed consent concept and reporting form and the judge is going to look at it and say, well, hey, you guys were not telling the truth. You know, this informed consent isn't for the purpose of statistical data. You are trying to find out a doctor so you can pick on him. I said for that reason I think you jeopardize the entire informed consent and I said I am not personally willing to take that risk. I think that we have all of the major issues that the pro-life people wanted to get tested, wanted to get tried and you are risking them on this and I guess I think it is unwise.

SENATOR CHAMBERS: Thank you, Senator DeCamp. I wasn't able to follow all of the debate upstairs. I don't see where Senator Venditte's amendment is any more obnoxious than the others that have been put on this bill and material left in the bill so since everybody is being allowed to put a fingerprint on the bill to make a little mark on this particular piece of history, why not let Senator Venditte do that? And see, sometimes, Senator Venditte, people don't realize how cagey an individual can be, that a person may be constructing two houses, one on the north side of town and one on the south side of town and if you are concentrating on the house being constructed on the north side of town, you may be unaware that an item which was purchased is to be used for the house on the south side so it doesn't seem to make too much sense. But if a person is looking down the line, Senator Venditte, and finds a certain form which already exists, that may have to be tied into say, an abortion reporting form, then the way to get on that other form that you want without clashing with an existing law which might be the case in this abortion law if it is passed in this fashion, you have got to change the abortion law. Now if certain things are confidential, based on the abortion reporting form, then that confidential provision would make that information on any other form