

March 8, 1979

LB 316

related to the same situation have to be confidential also. So let's say that a person were interested in having a fetal death certificate, push the point back from twenty months to twelve or fourteen months when such a certificate would have to issue. If the abortion reporting form says certain information is confidential but that same information would have to be on the fetal death certificate, it couldn't be on the death certificate because it is barred by the confidentiality portion of the abortion statute.

SPEAKER MARVEL: One minute.

SENATOR CHAMBERS: I don't even know if Senator Venditte thought of this or not but he may have and I say that when a person has been ingenious and this abortion bill is not designed to deal with anything in a straightforward fashion anyway, let Senator Venditte have his amendment and let the severability clause come into play and I know Senator Johnson and Senator Hoagland have agonized over this bill but I think it is good training for rookies and you may wind up being rookies of the year before it is over...

SPEAKER MARVEL: Thirty seconds.

SENATOR CHAMBERS: ...but if you would look at the bill in the form that it is in, I don't think there is a one of you who could say that you feel that LB 316 will pass constitutional muster and that it comports with Supreme Court cases and Judge Urbom's decision.

SPEAKER MARVEL: Senator Venditte, I recognize you to close on your amendment, on your motion.

SENATOR VENDITTE: Mr. Speaker and members of the Legislature, I said at the outset that I would withdraw my amendments if any member of this Legislature could show me a court decision whereby it affirmed that a doctor had the right to privacy. Yet Senator Fowler, Hoagland and Johnson have not been able to affirm that a court decision has granted a doctor's right to privacy, but we, this Legislature, are doing that. We are doing that. Do you realize what the implications might be of that? You know it is kind of interesting because I think 316 as it is now without my amendments is just merely a placebo. The names of doctors are not included, obviously, and we really aren't really doing anything about abortions. We are pretending we are. You know and to answer you, Senator Fowler, that