

March 13, 1979

LB 316

court, let it go there. So that is what I was going to let you do. You don't know what you want to do, but I want to read something to you from Judge Urbom's decision because Senator DeCamp said that I am being... I don't know what his word was, but that I am incorrect or have no basis for talking about arbitrariness where you set an age limit, then you make a distinction based on being married or unmarried and on page 551 of the Journal this is a direct quote from Judge Urbom's decision, and he is talking about the parental consultation portion which you are playing with now. "Another problem is that it may arbitrarily distinguish between the consent of a person under 19 who is unmarried and one who is under 19 and married." The age was the same but their status was that one was married and one was unmarried, and Judge Urbom said you may have created an arbitrary distinction, but as has been stated, let the court be the upper house of the Legislature. Now I have mentioned a couple of things here that I want... well, Senator DeCamp is gone, but if the Attorney General's office takes legislation seriously and reviews it, why did not the Attorney General's opinion emphasize the points I am trying to emphasize to you? I can see why the Governor takes such stupid positions. I can see why the Governor, though a lawyer, makes very unlawyerlike decisions. See, if he is going to come after me, I am going to go after him too. He talked about being unethical. I think nothing is so irresponsible than for a Governor who is the chief law officer of the state to say he will sign a bill which is known to be unconstitutional. It doesn't bother him but he has a lot of friends over here and perhaps the real reason this bill was brought back to add these amendments is to protect his hind end, to put some asbestos in the back pockets of Governor Thone who made a very unwise, unlawyerlike, irresponsible statement, but Governor Thone is going to find out that there is at least one man in this body who is not going to be awed by him, who is not "his friend", to such an extent that I will forego my best judgment to help him take a weak position but not look as weak as he truly is. I think his position on this matter as his positions on this matter of a lot of Senators will reveal a great deal about all of us. Senator DeCamp did not have that much to anticipate with this bill. When the piece of nonsense came before the Judiciary Committee, I offered things then and you can read the committee report if you don't believe it. I offered things on the floor here but Senator DeCamp is not cognizant of