

at the federal level of having an abortion but gets to a question that comes up time and time again in the Legislature and that is what is known as class legislation and the creation of an improper category and the use of legislative authority or abuse of legislative authority to attack one single procedure without any sort of foundation for singling that out. Now if you were to look on page 1404 of the Legislative Journal, I would like to highlight just a couple of sections of the Attorney General's Opinion. One of the things, and I think it is something that must be understood by this Legislature, is that the Attorney General points out, "An abortion is a legitimate medical procedure to which a woman has a right". There is...by the Supreme Court decision, a woman has a right to choose to have an abortion. It's something that we must accept. It is a right like freedom of speech, freedom of religion. It is a constitutionally protected right. Given that fact, you then look at our state law and it says that "the Legislature may not under the guise of police regulation stifle legitimate business or make constitutional rights subservient to pressure groups seeking enactment of statutes advantageous to their particular point of view. To single out abortion procedures for special treatment from other medical procedures not only would have a chilling effect on constitutional rights but it may be an unconstitutional classification". This is what I am talking about, the class legislation. "To be constitutional under Article III, Section 18, of the Nebraska Constitution, a classification should rest upon some difference in situation or circumstances between the thing or person placed in one class and that placed in another. Invalid class legislation denies rights to one which are accorded to others or inflicts upon one individual a more severe penalty than is imposed upon another in like case". What the proponents of LB 466 have not entered into the record is any sort of compelling reason that abortion procedures should be singled out as it is singled out in 466 from any other medical procedure, some that would be more hazardous than abortion, some that may, in fact, have a greater demand upon the provisions of 466 than abortion. There has been no evidence, no discussion as to why, in fact, this category of medical procedures needs this special legislation, and the reason is that, in fact, there is no justification other than the fact that certain pressure groups want to try and deny women the right to have abortions, and in that way passage of this bill would under the guise of police regulation stifle legitimate business or make constitutional rights subservient to pressure groups. The Attorney General has a second opinion that