

April 8, 1991

LB 425

SENATOR CONWAY: One minute.

SENATOR LANDIS: The bypass system, if it is to operate, if it is a saving grace for the constitutionality of 425, ought then, because it does serve a distinctly important public purpose, be one that we should not be ashamed of or keep hidden but should make a fair and reasonable attempt to inform young women of its existence so that those who justify the existence of a bypass will know that it exists so that they may use it.

SENATOR CONWAY: Thank you, Senator Landis. Senator Labeledz, to the Withem amendment.

SENATOR LABEDZ: Thank you, Mr. President. I rise in opposition to Senator Withem's amendment. Senator Chambers did not ask me because he probably knew that I would be opposing it. Some opponents of LB 425 may say that by not accepting this amendment we are trying to hide the judicial bypass. This is certainly not the case. I simply believe that the schools should not be required to tell students how to avoid discussing with their parents their intent to obtain an abortion. I would anticipate that Planned Parenthood and the abortion clinics will do whatever they can to inform the young girls of their options to go through the judicial bypass proceedings given their immense opposition to parental involvement laws. I am not surprised that an amendment of this nature was offered since in Michigan similar provisions were attached to their parental consent law, but I am surprised that Senator Withem, the Chairman of the Education Committee, is the one to offer it. Senator Withem, evidently, you tried to change it a little bit with the amendment to the amendment, or you withdrew the other one, because his amendment would require school districts to provide written information to all students in grades seven through twelve explaining the provisions for Sections 2, 3, and 4 of LB 425. Now Section 2 is the requirement for written notification at least 48 hours before the performance of an abortion by a physician or an agent to a parent before an abortion can be performed upon an unemancipated pregnant minor under age 19, or a pregnant woman for whom a guardian has been appointed. Section 3 contains provisions for a procedure of judicial bypass, a waiver of the parental notification requirement. Section 4 provides for the right for an anonymous and expedited appeal to the Supreme Court when a court denies an order authorizing an abortion without notification. Senator