

March 8, 1979

LB 316

SENATOR CULLAN: Yes, Senator Hoagland.

SPEAKER MARVEL: Senator Hoagland.

SENATOR CULLAN: I wonder, Senator Hoagland, if you could tell me how you read the existing abortion bill? It has been amended so many times I am not quite sure exactly myself what is in it. As it is written now before adopting the Venditte amendments, does the State of Nebraska maintain the capability to know how many abortions are performed in the State of Nebraska and the locations of those abortions or where they are in the state?

SENATOR HOAGLAND: As the bill is now written, Senator Cullan, on page 9 and 10 of the handout that Senator DeCamp has provided, why the information which will be made public in the form of a compilation or a summary form is shown and the information under the current version of the bill which will be made public is the age of the pregnant woman, or the compilation of this information will be made public, the age, the type of procedure that was performed, the complications if any, the obstetrical history in a generalized sense of all the women, the reasons the abortion was requested, the state of the woman's residence and the length and weight of the aborted fetus when that is measurable. Now all that information will be made public again in the form of monthly compilation forms and, of course, from those monthly compilation forms it will be quite easy to tell how many abortions have been performed. Now the reason that many of us who were concerned about the constitutionality of this bill made the changes we made is because of some of the questions raised in Judge Urbom's opinion on page 551 and 552 of the Journal and I would stand by that, and I would strongly oppose Senator Venditte's amendment because I think it creates a new serious constitutional problem which we have resolved in this draft. I see no point in raising another constitutional problem again, and, furthermore, I think that as I indicated the kind of information that you think should be made available, Senator Cullan, apparently will be made available under the bill as currently written.

SENATOR CULLAN: Senator Hoagland, why is the name of the referring physician, agency or service not retained?

SENATOR HOAGLAND: Well, it didn't seem to the number of us that sat down and negotiated these provisions that there was any real important public purpose to be served by retaining that information.