

March 8, 1979

LB 316

SENATOR CULLAN: What if those agencies are public tax supported agencies? Is that a legitimate purpose?

SENATOR HOAGLAND: Oh, I don't think it is, Senator Cullan. I don't see any point in requiring disclosure of the name of a referring agency.

SENATOR CULLAN: But this will allow us to have...the name of attending physicians will be public information then. Is that correct?

SENATOR HOAGLAND: No, not as the bill is currently written. It will not be public.

SENATOR CULLAN: Okay, thank you very much.

SENATOR NICHOL PRESIDING

SENATOR NICHOL: Senator DeCamp.

SENATOR DeCAMP: Mr. President, members of the Legislature, I oppose the amendment and had hoped Senator Venditte would not offer it, but I know he feels very strongly about this. Now I have stated to you from the beginning and I state to you again, my overall purpose was in trying to get as restrictive a law as is constitutionally possible. I am not out to punish people. I am not out to hurt people, this kind of thing. If you will recall over the years the reporting section was one of the most difficult, controversial sections put into the bill and if you will recall my reasons for this, I justified it and it went to the Supreme Court and was upheld on these reasons and these reasons are, that it is in the interest of the state to have the statistical data for the welfare and health of people in the state. For example, if they determine that seventeen or fifteen year old girls in an extremely large number are getting pregnant in certain rural areas, this might indicate a health need or an educational need in that area. In other words, statistical data for purposes of knowing problems, the purpose was not in this reporting section, not to go punish a physician or locate this doctor or that and then home in on him. You might want to do that but you can't use the law to do that. That is all I am saying. You can't use the abortion law to punish this doctor or that because he happens to believe differently or he happens to believe this is a proper and right medical procedure. If the abortion law is used for that purpose then I think you have got constitutional problems