

March 13, 1979

LB 316

tionally done this in the Legislature. We have statutory rape having specific age limits. We have drivers' licenses dealing with minors again having specific age limits, less than the maximum age of a minor. We have voting age, 18, I think it is, having a different age. There is a basis in law for us doing this if it is in our best judgment and in our best judgment in the best interest of the minor. Second point, arbitrariness and capriciousness, as I understand it, or lack of equal protection on the subject of married versus unmarried minor. The married minor is in a different class because under our laws of this state, he has already or she has already tied in to parental involvement in that marriage. So the married minor is not a minor. They are categorically, by law, a different creature. There is basis. Third point, that these restrictions that I have just mentioned are not for the purpose of the welfare of the minor, but are to burden the abortion decision, absolutely wrong. They are "and meant to be and intended to be in the best interest of the minor". Why? The state has an obligation to make sure the minor is protected in various areas and we do it all the time. That includes protecting, retaining, the parental, the family relationship between the minor and his parents. So I repeat, contrary to the assertion, this legislation or these sections are not to burden the minor or burden the abortion decision, but on the contrary, protect the minor, sanctify and maintain the parental child relationship in the best interests of the minor. Fourth point, he raises the question of no living parent or guardian, this creating a burden on the minor. On the contrary, the minor in this situation, through this legislation, is put in a position where he can or she can be put into a system where protection, help and assistance is afforded her. For example, that minor that he mentioned, without the parent or guardian, going to the doctor, this will surface and the doctor will then possibly have court involvement, possibly have other things develop that are in the best interests of the minor. Coercion, coercion, he raised...same thing holds true there. This would create a situation where these things would surface. Key part he brought up and that I suspect the entire case is going to be based on that I now intend to destroy. "Written" versus "informed", about one third or one half of his entire talk was based on this. I do not believe this is a legitimate problem, however, immediately following the rejection of this amendment I have a technical amendment to make the word "written" stricken and use strictly the word "informed" so there is no confusion so that part would be eliminated.