

April 14, 1980

LB 1004

SPEAKER MARVEL: Senator Koch, do you wish to speak to the Fowler amendment?

SENATOR KOCH: Mr. Speaker, I wish to speak to the Dworak amendment, and I will wait until that time.

SPEAKER MARVEL: Okay. Senator Labedz, do you wish to speak to the Fowler amendment?

SENATOR LABEDZ: Just briefly. I would oppose Senator Fowler's amendment on one reason that I see here. It says that "except that the insurer shall offer individual employees". I would have preferred to see "except that the insurer may offer individual employees special coverage for abortion". For that reason I will oppose the amendment.

SPEAKER MARVEL: Senator Landis, do you wish to speak to the Fowler amendment?

SENATOR LANDIS: Mr. Speaker, I wish to speak not only to the Fowler amendment but later I will continue my light on to speak to the Dworak amendment. To respond to Senator Labedz's arguments on LB 1004 and the Fowler amendment, the amendment indicates that an insurer will offer special coverage for abortion. I remind you that the genesis of that idea lies in the language that Senator Dworak has offered. He says, this limitation, meaning this intent limitation on the use of monies in this way, shall not apply to coverage for an abortion which is verified in writing by the attending physician as necessary to prevent the death of the woman or to coverage for medical complications arising from an abortion. In other words, Senator Dworak contemplates that there will be no insurance which may be used for abortions except for these two kinds of abortions. Now, apparently that means that apparently there will have to be a special kind of language written in to allow for coverage that he agrees should be covered, which is the creation of a new kind of language which is incidentally a "shall", if you will. In other words, this limitation applies except in these instances when the coverage should be available, and that similarity is picked up by Senator Fowler and used in the offering of an individual to purchase insurance. If the individual cannot get from the state coverage for this, which most insurance coverages now have, then they should be able to purchase on their own such coverages and the insurer must provide them so that this can be then a medical procedure for which insurance is available in the State of Nebraska. Otherwise, we single out only state employees and by creating this strange

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