

May 14, 1981

LB 466

most appropriate individual rather than the doctor to make such a determination. A physician should simply not be required to make such a determination of a minor's maturity. Section 2 also provides the court shall expedite all proceedings filed by a minor and render a decision within twenty-four hours of the initial proceedings. I believe the adoption of this amendment is crucial and I urge the members of the body to adopt the amendment so that we can further advance LB 466. I would want to also mention to you, and I am sure you realize that this bill has had two or three motions to kill. It has also had amendments and I am hoping because of the time, and it has been mentioned here many times today, especially, there are only nine days left and it is vitally important to us that this amendment be attached to LB 466 and I urge the members of the body to advance or to approve this amendment and then advance LB 466 to Final Reading. Thank you.

SPEAKER MARVEL: Senator Cullan. Senator Marsh, do you have an amendment to the Labeledz amendment?

SENATOR MARSH: Yes, sir, I do.

SPEAKER MARVEL: The Chair recognizes you.

CLERK: Mr. President, Senator Marsh would move to amend the Labeledz amendment: (Read Marsh amendment found on page 2047 Legislative Journal.)

SENATOR MARSH: Mr. Speaker and members of the Legislature, Senator Vard Johnson originally offered a motion which said under age sixteen which would have meant a minor up through age fifteen. My motion will take the minor up through age sixteen. When a woman is seventeen and has become pregnant, if she does not desire to tell her family, she is in a more mature situation than if she is sixteen or under. The ideal is if the family is brought in from the beginning but the ideal is not to get pregnant in the first place. But the reality is that many minors are becoming pregnant. The Supreme Court has ruled that the state has the right to make restrictions but they have to be reasonable restrictions. A reasonable restriction would say if someone is over seventeen, they could make that decision. I would urge the adoption of this amendment. I am not sure the bill itself is constitutional. You have seen a copy of the Attorney General's opinion giving many instances throughout the bill as it currently is as to its unconstitutionality but this would assist in making Senator Labeledz' amendment constitutional because there is a difference between a thirteen year old and a seventeen year old. I urge the adoption of this amendment to the amendment.