

May 14, 1981

LB 466

give them actual notice which I assume means a telephone call or something to this effect where you actually talk to them and give them actual notice or you can send them this certified letter in the mail. All right, but the certified notice requirement to me is deficiently vague in two regards. First of all, it says, "after a reasonable effort", now I don't know what Senator Labeledz has in mind as a reasonable effort. If you call once to their home address, have you made a reasonable effort to notify them? Do you have to call two or three times? Do you have to call once at the office and once at home? I don't think it is very clear what a reasonable effort is, although I appreciate her effort...I appreciate the problem she is running into in trying to define what a reasonable effort is but I think that you can see that that is vague. Secondly, as far as sending the notice is concerned, it is to their last known address. Now how do you determine their last known address? Do you look in the telephone book? Do you look in the City Directory? Do you rely upon what the minor tells you? How do you make this determination? It seems to me that we are putting a bit much of a burden on these people to make some determinations that they are not going to know how to make. So what I am suggesting is that the language read like this. You can give the actual notice, but if you don't give the actual notice, then I think it should read like this, "If such parent or guardian does not receive actual notice...does not receive actual notice, the notice requirements of this section may be satisfied by sending notice to such parent or guardian by certified mail to the last known address of such parent or guardian as indicated by the minor seeking the abortion at least forty-eight hours in advance". So I am taking the vagueness out and putting certainty in and I think you have a more constitutional provision. Thank you.

SPEAKER MARVEL: Is there any further discussion on the Beutler amendment? We are fast running out of time. Senator Cullan, do you wish to speak?

SENATOR CULLAN: Mr. President, we have no objection to the Beutler amendment.

SPEAKER MARVEL: Any other discussion? Senator Beutler, do you wish to close? Senator Beutler, do you wish to close?

SENATOR BEUTLER: No, Mr. Speaker.

SPEAKER MARVEL: You don't wish to close?