

April 24, 1989

LB 769

SPEAKER BARRETT: Thank you. The question is the adoption of the committee amendments to LB 769. Those in favor vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 29 ayes, 0 nays, Mr. President, on the adoption of Judiciary Committee amendments.

SPEAKER BARRETT: The committee amendments are adopted. Senator Labeledz, would you care to explain the bill as amended.

SENATOR LABEDZ: Yes, you are moving so quickly, Mr. Speaker. Thank you. In explaining the bill, LB 769 requires that parents be notified of their unmarried pregnant minor daughter in their intent to obtain an abortion. It is up to the physicians performing abortions to give this notification. In the alternative, the bill provides for a procedure of judicial bypass when a minor does not want to notify her parents. Under this procedure, the court may allow the abortion without parental notice if it concludes that the minor is sufficiently mature to make the decision or that it is in her best interest not to notify her parent. LB 769 is modeled after the Minnesota parental involvement law which was found to be constitutional by the Eighth Circuit Federal Court of Appeals. As you know, the Eighth Circuit's jurisdiction also includes the State of Nebraska. For the first five years that the Minnesota law was in effect, the abortion rate among teenagers in that state dropped by over one-third, while the live birthrate increased by 38 percent. In addition, the total teenage pregnancy rate dropped by almost one-third. The fact there was an overall reduction in teen pregnancy and birth, not just teen abortions, is a very impressive statistic. Nebraska currently makes no provisions for parental knowledge or for reflection time or discussion or consent regarding their child's abortion decision. Without the advice and counsel of their parents, without the proper medical history often needed, without the love and guidance of family members, children today are often at risk of exploitation. The requirement of parental notification is a very minimal requirement. Parents of minors are notified of much less major incidences, such as, accidents or illnesses at school, failing grades, or misbehavior. Furthermore, the law of informed consent requires parental approval before any medical or surgical procedure can be performed on a minor. In one critical medical procedure, however, parents in Nebraska are denied any role, even their right to know. That is the abortion decision. Physically minors who abort their first pregnancy