

May 2, 1989

LB 769

SENATOR SCHMIT: ...with their bill, even though as I said, they don't know the cost. I think it probably, it is no doubt worth it. But I would hope that you would not indefinitely postpone this bill.

SPEAKER BARRETT: Senator Landis, please, followed by Senator Smith.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, mine was the first speech in opposition to 769 and I wonder if an argument that I raised then is not more apparent today than it was at the time. LB 769 is not about notifying parents. We know that because we know what has come about in the debate. We know what is really at stake here. We know because we can't expand this idea to allow a child to know their rights under it. We won't make that effort. We won't let them know what their rights are. We won't give assistance to mothers who carry to term children pursuant to what is going to happen ultimately under 769. We don't provide day care for the kids who may be brought to term basically because of what will ultimately happen because of 769. We won't wait to find out the limits of our authority in whether or not Roe v. Wade will be overturned or modified in some way. This bill is an attack on the right of privacy of women to decide for themselves what to do with their bodies. That is what it is designed to do, to keep that fire burning. And when you vote on the fate of this bill I think what you have to ask yourself is, do you support the idea of a right of privacy or not? Because that is what is at stake. And if it's not this bill, if it's not this issue, by the way, where is your refuge from a Legislature of another day that says, you may not use contraceptives. If you are successful and you end the idea of a right of privacy into which the law cannot come, into which government may not intrude, then the law is free to tell you that you can't use contraceptives or that you must use contraceptives. What happens if the situation is reversed and population control zealots control a Legislature and say, you may not have more than two children? Where will you look in the Constitution? Where will you find support again in that day against an irrational law as that? You won't be able to look in the Constitution to find justification, to end that kind of a law because you will have ripped it out. You will have extirpated the right of privacy. That is that what this pebble ultimately leads to, the avalanche that ultimately results from these kinds of pebbles falling here and in other states, and then once these are done, then notifications of other kinds and