

May 4, 1989

LB 769

SENATOR CHAMBERS: And you are aware that Judge Urbom, even in his opinion, did not deal with subsection (3) which you are attempting to repeal?

SENATOR LINDSAY: Correct.

SENATOR CHAMBERS: So you want to take away a provision from the law that was not ruled unconstitutional by Judge Urbom and you want to narrow the rights of a woman to obtain an abortion, the circumstances under which she can obtain an abortion without this notification?

SENATOR LINDSAY: Well, I guess that would be the case that it would be the way the statute would work.

SENATOR CHAMBERS: Is that your intent in seeking the repealer?

SENATOR LINDSAY: My intent would be to have it as set forth in the...that wasn't the intent in the repealer. As you know, when I first filed this, I wasn't aware that the third section had not been declared unconstitutional, also, but the intent...I guess my intent would be to have the provision as set forth in the bill itself.

SENATOR CHAMBERS: But you do see the difference between the provision in the bill itself and the portion that you are repealing? You do realize that subsection (3) that I am trying to preserve is broader in allowing the woman and the doctor leeway than the provision that exists in subsection (1) of your bill?

SENATOR LINDSAY: Yeah, I would agree that yours is much more broad than mine.

SENATOR CHAMBERS: And now that I have brought that to your attention, your intent now is to repeal the existing law so that there will be that narrowing of the woman's prerogative?

SENATOR LINDSAY: Yes, that narrowing will occur, yes.

SENATOR CHAMBERS: And that is your intent now?

SENATOR LINDSAY: Yeah.