

SPEAKER BARRETT: Time. Senator Lindsay, would you care to discuss the amendment?

SENATOR LINDSAY: Thank you, Mr. President. Members of the body, I guess I will just pick up where I left off and try to clarify my comments with regards to Senator Chambers' questions. First of all, when this amendment was offered, the intent was to repeal a statute which was felt to be unconstitutional. The sections which were stricken down were sections, in looking at the first paragraph of the memorandum and order, it deals with 28-347(1) relating to notice and 28-347(2) relating to a judicial proceeding, et cetera, and in the order itself, it says, "IT IS ORDERED that the motions for partial summary judgment, filing 43 in CV81-L-167 and filing 19, are granted, Section 28-347(1), Section 28-347(2), and Section 71-148(12) of Neb. R.R.S., as amended, are declared unconstitutional." The case just did not take into consideration the third section. I think it would have been unnecessary to have done so anyway because that section provides, there are three sections in that statute. Sections 1 and 2 have been declared unconstitutional. Section 3 reads this section shall not apply when an emergency situation exists. Well, that is unnecessary because the remainder of the bill has already been declared unconstitutional, the remainder of the statute has already been declared unconstitutional. To have an exception to a bill that is unconstitutional doesn't make sense, so it is assumed that that section would have been declared unconstitutional. Now to say that now that I know that it narrows it, that I did intend it I don't think is quite the right way because I hadn't intended that any of this would have been on the books anyway. So my intent is contained in the bill, has nothing to do with narrowing or broadening. It has to do with my intent has elicited in the bill and that is what I would...when I signed onto the bill had been my intent. Number two, as I tried to mention when we are talking about a situation that involves a serious threat to the health of the parent, or excuse me, of the girl, it is a situation where if there is a true emergency, that girl is going to need other medical care besides just an abortion and the parent is going to have...to consent to that medical care to treat that case. I believe the consent laws extend to emergency treatment to save the life of a person without consent. Otherwise, I think we do have to have the consent of the parent. And, number three, as I was I guess attempting to point out, health is an awfully broad term. I