

May 8, 1989

LB 769

still leaving it unclear as to when the declaration has to be made. As long as there is a declaration that's made is what 769 says, we could do the abortion, then declare and/or we could declare and then do the abortion, it's relatively vague on that. Is that correct?

SENATOR CHAMBERS: Fight. You're right.

SENATOR BERNARD-STEVENS: Let me follow through, if you will, if you would bear with me a little bit longer. Let us presuppose then that the young woman has lied and a declaration has been made to the proper agency and the abortion has been done and they have followed the rules and regulations set up by LB 769, if the Legislature passed such a bill. The agency then that follows through, there is an investigation and the investigation shows no truth to the allegation of rape or no truth to the allegation or the declaration of abuse, what would happen to the physician in that case?

PRESIDENT: One minute.

SENATOR CHAMBERS: Nothing should happen to the physician because the lie that was told immunized him against any punishment based on his not notifying the parent or the appropriate person, because all the bill says is that if the young lady declares that she has been the victim of these various activities, then the physician need not give notification. So, under the scenario that you presented, nothing would happen to anybody. The young lady, by telling the lie, would have circumvented the law but there would have been this investigation of her family.

SENATOR BERNARD-STEVENS: Thank you, Senator Chambers. Senator Lindsay, would you yield to a question or, at least, respond to a question?

PRESIDENT: Senator Lindsay. But the time has expired. Excuse me.

SENATOR BERNARD-STEVENS: We'll pick you up on the next light. Thank you.

PRESIDENT: Okay, thank you. Senator Lindsay, please, followed by Senator Nelson and Senator Chambers. Senator Lindsay, please.