

March 30, 1990

LB 688, 769

SENATOR LANDIS: Wait a second, not at all, I am asking now about why should we be dealing with LB 769 if it is unconstitutional?

SENATOR LAMB: We don't know that.

SENATOR LANDIS: Okay, let me ask it in another way. If it is constitutional and we are permitted to pass this kind of law, we have on our books a parental notification statute which upon a finding of a court would be immediately revived. Why are we here if we have a parental notification bill, which upon a finding of being constitutional, will be effective? Why are we here?

SENATOR LAMB: Why are we here...

SENATOR LANDIS: Why are we discussing this issue?

SENATOR LAMB: Because the majority of the body wants to discuss it, wants to pass it.

SENATOR LANDIS: This bill already exists in law. It is in the Nebraska statutes. It has been ruled unconstitutional, and if there is a finding that it is constitutional, it is immediately revived. Why should we spend our time today passing a second time a bill that is already on the books which if ruled constitutional would immediately revoke without any action from this body, why should we be taking this time?

SENATOR LAMB: Because of the change in the Supreme Court ruling that now we think it is constitutional.

SENATOR LANDIS: Is there a word in Webster v. Wade, I am sorry, Webster about parental notification? Was that any of the provisions in the Missouri law?

SENATOR LAMB: You know we are getting away from my point...

SENATOR LANDIS: The question is, is there a word in Webster about parental notification?

SENATOR LAMB: I am not going to answer that.

SENATOR LANDIS: The answer is no. I have read the case. There isn't a word about parental notification. Now we have got a