

June 1, 1993

LB 110

**SPEAKER BAACK:** Thank you, Senator Landis. Senator Schimek.

**SENATOR SCHIMEK:** Yes, thank you, Mr. President, members of the body. I'd like to yield my time to Senator Bohlke.

**SPEAKER BAACK:** Senator Bohlke.

**SENATOR BOHLKE:** Thank you, Senator Schimek. Earlier, I did want to respond to some remarks. I think it's important that we all understand what the amendment says and what it does not say, what it accomplishes and what it does not. I had a number of summary sheets that try compare from the original 110 to the E & R, to the Bohlke amendment, to a number of things, and it gets very confusing, but I do think it's important to realize when Senator Witek talked about having the 800 number and the appropriations bill, that is true, the money is appropriated, but according to the E & R amendment, that 800 number is optional, it is not mandated. Under my amendment, the 800 number is mandated and I think that is an important difference. Also, I do appreciate Senator Witek being honest about what her concerns really are and that they are to take the woman out of the area of responsibility when it comes to who will be responsible if informed consent is not followed. I think that the E & R amendment stands right now, says no penalty may be imposed upon the woman who receives the abortion, is she unable to understand informed consent law and the meaning of 24 hours? Are we saying that the woman should not be held responsible because she is unable to understand that we won't penalize her because we do not think that she will be responsible in that decision-making process and, therefore, that responsibility should be shifted to the physician and away from the woman? I think legislation like that and that kind of intent is patronizing and insulting to women, inferring that we are incompetent and incapable of making our own informed decisions. My amendment holds both responsible, both the physician and the woman. I think a woman who would go in and certify that she had received the information when, in fact, she had not and therefore was not being truthful, should certainly be held responsible. I think to suggest that that woman should not be held responsible is irresponsible. Why would we not hold that person, that individual responsible if they go in and certify that they have received information and, indeed, they had not? That is a difference between the E & R amendment and my amendment. I will maintain that I certainly think that women obviously have the intelligence to understand the information