

appeared would be thrown out as unconstitutional and those we were able to agree on. What we did not agree on after removing these issues was the viability issue that Senator Chambers tried to address. Senator DeCamp says he may be open to an amendment on, that is one. The second, that I think is more important, and I think it is a failing of the Nebraska law from the very beginning is the question of trimesters. Now I have handed out the concluding sections of Roe v. Wade which is the Supreme Court decision, the first Supreme Court decision that struck down abortion laws. It is the one that Senator Labeledz and Senator DeCamp are relying on in terms of trying to lay the groundwork for our statutes. Now if you would look in the Journal....

SPEAKER MARVEL: Thirty seconds.

SENATOR FOWLER: If you would look in the Journal with regards to this issue, Judge Urbom indicates that Roe v. Wade is particularly relevant with regards to the first trimester and if you read the language in the statute I have handed out or the court decision rather, it essentially says, "the state has no interest in the first trimester with regards to regulation". After that certain circumstances enter in. The major deficiency in our current law, the major deficiency in this law under Roe v. Wade is the forty eight hour waiting period, the parental consultation and the reporting form. All those sections apply not just to the end of the term of pregnancy but to the first trimester and I think that the failure to address that in these amendments and in this bill will mean that Judge Urbom, based on his decision, will throw out our current law. The other things that I think there are still constitutional questions on but they are ones that Senator DeCamp wants to see tested, is the forty-eight hour waiting period and the parental consultation but it is my belief, based on Roe v. Wade, that as long as those apply to the first trimester that even with these amendments this law will not be constitutional, however, these amendments are a step in the right direction and for that reason, I would support them, not because they resolve all the problems, but they do resolve several that Judge Urbom has identified.

SPEAKER MARVEL: Senator Chambers, then Senator Dworak, then Senator Murphy. Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, first of all I think we ought to have a division of the question because there are far too many matters here. We do not have the opportunity to discuss them adequately because under our rules we are