

Senator Koch right now in this form, it is an unconstitutional bill. The advantage of the amendments is that I think there are only four or five sections that are now unconstitutional as opposed to before the amendments there were eleven or twelve and that is why I supported the amendments as I indicated. I would be glad to support other amendments and I have not yet made up my mind as to whether or not I would vote for the bill on final passage. I agree that it is unconstitutional but I also agree with Senator Nichol and Senator Chambers that the Judiciary Committee for whatever reasons will not put it into constitutional shape.

SENATOR NICHOL : Mr. Speaker, members of the body, I would be opposed to sending this bill back to committee simply because the reason we put this bill out on the floor without amendments is because we can work this thing over in committee and try to make it a constitutional bill in every respect but once it comes out to the floor we have to adopt the committee amendments and we are in the exact same argument that we are in here today, so I would be opposed to sending it back. I think we ought to move on with the amendments and try to clean the bill up as best we can and move on to other business.

SPEAKER MARVEL: The Chair recognizes Senator Koch for purposes of closing on his motion.

SENATOR KOCH: Mr. Speaker and members of the body, it is obvious that there are significant problems with this bill and I didn't mean to embarrass Senator DeCamp. Now Henry Clay has a great mark in history. He should take that as a compliment. We turned down an amendment by Senator Chambers this morning which was an attempt to clean up the bill. We turned down an amendment by Senator Johnson which was an amendment to the Chambers bill which was to even clarify that issue further. We are talking about viability but that is the reason I put my amendment up there to refer it to the committee. It is obvious that this body has not seen the light on the subject of the constitutionality of abortion but they are feeling the heat and there is a difference. You can't tell me the committee of eight with the staff that they have can not come to this floor and remove the questions of Judge Urbom as you look at the record. Those who speak to the record, I am speaking for it now. I do not want my green vote on a bill that intentionally is going to go out of here and go to a court and be overturned. I believe that that is folly and it is a waste of our time. Senator DeCamp, others talk about time as such a valuable item in