

February 20, 1979

LB 316

here. I have observed this time for four years. Time only becomes valuable when we are in a hurry to get something out of the way which is sensitive, difficult and emotional and this is a sensitive, difficult, emotional, volatile issue. If the Judiciary Committee cannot in its wisdom come to this floor and correct those sections that Judge Urbom declared as being suspect, then there is something wrong with the committee system of this body. That is where it should be done properly. It should be done in the committee, not with little splinter groups trying to make a sows ear out of something else. I am saying to you that the committee is the place for it to be done. Had they adopted Senator Chambers' amendment this morning and Senator Johnson's amendment, I would have taken that in good faith but it is obvious there is not much good faith here and for us to continue to debate this bill knowing that it has inherent problems of constitutionality, I believe is an admission of guilt on the part of this body and I do not choose to put my green light under those conditions to a bill which I feel could better be prepared and presented to this body by the committee as a whole. Thank you.

SPEAKER MARVEL: The motion is on the Koch motion to send LB 316 back to committee which means the Judiciary Committee. All those in favor of that motion vote aye, opposed vote no. Have you all voted? Have you all voted? Clerk, record the vote.

CLERK: 8 ayes, 23 nays, Mr. President, on the motion to return to committee.

SPEAKER MARVEL: The motion lost. Now we have another amendment. Clerk, read the amendment.

CLERK: Mr. President, Senator Chambers moves that LB 316 be indefinitely postponed.

SENATOR CHAMBERS: Mr. Chairman, when Senator DeCamp hurled his challenge to do something about the bill, that prodded me into doing something. I believe that when we discuss matters on the floor and we are trying to be precise we should do that. Senator DeCamp, when I talked about the intent in that abortion portion of the definition there is a difference between intent and attempt. Attempt means that you have put forth some action and you have reached a certain point in the possible commission of an offense but that which is the offense must be properly defined first, then the conduct which constitutes an attempt and if you will remember my discussions on the Criminal Code I was against all those