

March 8, 1979

LB 316

finally, "and the recordkeeping provisions of section 9 of LB 316 are constitutionally sound." Now what did I ever claim on the floor on this bill? I said in those areas where there is legitimate concern, where the courts still have to rule and give us more information, we have tried to make a bill that we believe is constitutionally defensible, precisely what the man says from the Attorney General's office. Now, Senator Chambers, my good friend, Senator Chambers, do you remember medical malpractice? Do you remember products liability? Do you remember any other dozen bills that you stood and told me every time, DeCamp is giving you unconstitutional legislation. Just don't listen to him. I don't give you unconstitutional legislation if I can help it and I use honesty in my best judgment, in my best judgment. I agree with that Attorney General's opinion and with these corrections, technical corrections, I believe we will have a constitutionally sound bill on the subject of abortion and if that one area is found to be unconstitutional, I believe, as stated, it is severable, that one little piece. So I urge you to adopt these technical corrections and then push the bill on towards passage. Without this bill Nebraska is without any laws on the subject of abortion for all practical purposes and a plumber in his garage can perform an abortion on a girl nine months pregnant with almost no restrictions at all. That isn't the kind of thing we want.

SPEAKER MARVEL: The motion is to bring 316 back to Select File for the specific amendment and the specific amendment has been handed out and discussed before so the motion now is whether or not you want the bill brought back. All those in favor of returning the bill to Select File vote aye, opposed vote no. It takes 25 votes. Record the vote.

CLERK: 29 ayes, 1 nay on the motion to return, Mr. President.

SPEAKER MARVEL: The bill is brought back. Now, Senator DeCamp, the motion is to adopt your amendment.

SENATOR DeCAMP: Move the adoption.

SPEAKER MARVEL: The motion is to adopt the DeCamp amendments that have been discussed. Are you ready for the question? Do you want to be recognized? Okay, Senator Chambers. We are speaking on the motion to adopt the amendments.