

March 13, 1979

LB 316

the major issues that had to be dealt with and we kept refining them and bringing them down and this morning Senator Chambers and Senator Koch, I would hope you would listen to this, Senator Chambers raised two major constitutional things...one, ambiguity, didn't really know whether written meant the same as informed or whatever. I am suggesting we correct it. If I have to eat crow by saying, yes, I guess you could misunderstand it, fine, I will bite off a leg of crow. The other issue is scienter, knowledge of the doctor. I contend that is already in our criminal laws but in order to clarify it, to eliminate confusion there, to satisfy the pro-choice side, I say put it in. Put it in the bill. I am probably wrong as much as anybody else on this floor. All I have tried to do on this bill and any dozen of others is try to get input and work a solution and I don't think we solve problems strictly by calling names or by deciding that, by golly, we are going to stop this no matter what. The bill isn't perfect. A court will decide where it is imperfect, if it is. I urge you to adopt the amendments. Senator Chambers issued me a challenge. He said, I dare you to withdraw the amendments and I said, no. And I am not going to withdraw the amendments. I think they help solve the overall problem and I am not a winner. Senator Chambers isn't a winner, hopefully at one point 7,000,000 people in this state will be winners if we all work together on the subject.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The motion is to bring 316 back to Select File for a specific amendment. All those in favor of that motion vote aye, opposed vote no. Have you all voted? Record.

CLERK: 37 ayes, 1 nay on the motion to return, Mr. President.

SPEAKER MARVEL: Do you move the adoption of the amendment? Senator Chambers.

SENATOR CHAMBERS: Yes, Mr. Chairman, and I am going to speak. I am one out of forty-nine down here and I often have to take lost causes but I know this Legislature. The Legislature is a violin and if you are cagey you can be a Stradivarius. Had I offered these amendments the other day as I attempted to do earlier in the bill, what did you do? No, no, no. You said let the court be the upper house in the Legislature. Since it is before the