

guarantee it. I happen to be against abortion. I have not stood up and talked on this issue. I have voted with Senator Chambers on issues that I have felt were unconstitutional. I have voted with Senator DeCamp on issues that I felt were not unconstitutional. But I deplore the state telling me that my wife may lose her life because a doctor cannot use what methods are needed to abort that child if her life is in danger. I wish that Senator Schmit and the others that are testifying on behalf of this section could guarantee me that that wouldn't happen, but I don't think that they can. I think that this section places a tremendous hardship on the doctor and forces him to make a choice whether he wants to go to jail or whether in fact he wants to take the chance that that mother will not die. I maintain that although medical, the medicine profession has improved tremendously, there is absolutely no guarantee, Senator DeCamp cannot guarantee that my wife will not lose her life. You cannot guarantee that any mother will not lose her life. I don't think that's right. Now I understand that the Catholic Church believes that if it comes down to that decision, that the life of the baby shall prevail. That is not true in my religion and I do not care to have another religion profess to tell me how I should handle my family and who I have to sacrifice.

PRESIDENT: Senator Cullan.

SENATOR CULLAN: Mr. Chairman and members of the Legislature. Senator Chambers was talking about crimes against a person and that perhaps these laws and some of these proposals should not be in a separate section or they shouldn't exist at all. I think the Legislature recognizes that although the majority of the people or although a lot of us feel that it is, that abortion is in fact a crime against a person or that we have to restrict it as much as possible, that we do spell it out in a different section. Maybe it is a little bit duplicative. There are hundreds of incidents throughout the criminal code where there is duplication, hundreds of incidents in laws. In LB 161, which we're debating in Judiciary Committee, there is a section which we felt might be unnecessary, but it made it clearer that we're against discrimination. So we left it in and we're going to leave it in. Here is another section where we're going to be duplicative to show people that we mean to make the Legislature's intention very clear. So I don't think that's a valid argument. I oppose Senator Chambers' amendments for a variety of reasons.

PRESIDENT: Senator Chambers would you like to close debate with your reply?

SENATOR CHAMBERS: Mr. Chairman, again it's obvious the members of this body do not understand what a criminal code is or what its function is. You are not punishing an intentional act. You are punishing the utilization of a recognized medical procedure. Why don't you pass a law making it illegal for a doctor to use accepted medical practice to perform an abortion. I don't believe there's another portion in this criminal code where the intent of the person makes no difference. I'd like to ask Senator Luedtke as an attorney a question. Senator Luedtke, I'm asking you because you haven't been in the discussion so your position would be a bit more objective. Do you know of any crime and I'm talking about a crime now, which does not require intent?