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so what he was eventually convicted of was conspiracy in the murder of his girlfriend, use of an instrument...let me get the exact term, using an instrument to destroy an unborn child, and discharging a firearm into an occupied property. He was involved in penning her car in so that his co-conspirator could shoot her while she was trapped in her car. Had he been found guilty of first-degree murder, he could have received the death penalty...

SENATOR CUDABACK: Time, Senator Brown.

SENATOR BROWN: Thank you.

SENATOR CUDABACK: Thank you, Senator Brown. Further discussion? Senator Landis, followed by Senator Chambers and Senator Brown. Senator Landis, motion to return.

SENATOR LANDIS: Thank you, Senator Cudaback, members of the Legislature. I have an amendment which I think actually needs to be drafted a little better to this bill, but you'll find it on the gadget and it establishes the linkage that Senator Schimek and Senator Chambers have talked about, because it says, essentially, that this offense occurs in the context in which a woman is assaulted. Now perhaps it needs to be drafted so that it's assault or the victim of a recklessly careless act, but that the gateway to the offense is this, the fact that you are assaulting a woman or, in fact, there is a reckless, careless act with respect to a woman which, in turn, produces this effect on the fetus, unborn child, whatever language you're going to use here. I, too, think that these need to be linked together. I, too, think that the bill is...and if you wanted to get at legal offenses, you'd draft the bill, I think, easier for a prosecutor. But if you wanted to get at the idea of separating a woman's interests from the fetus' interests, you'd draft it exactly this way, which is why I think it's drafted this way. I think the purpose is to make a philosophical point, and here's an example of it. If you take a look at what constitutes a third-degree offense under this, it includes a reckless, careless act that creates serious injury for the unborn child. It's, I think, assault in the second degree. A person commits the offense of assault on an unborn child in the third degree if