

now offers, we were really trying to address the decisions contained in the Urbom court decisions which Senator Hoagland has had inserted in your Journal. The decision that Senator Chambers makes reference to is the U.S. Supreme Court decision that came down after Urbom's decision. Now it is my belief that Senator Chambers is correct, that if we do not adopt the more recent U.S. Supreme Court decision of viability, the more refined definition in this Colautti case, that essentially we will jeopardize the constitutionality of the whole abortion law that we are about to pass now and that if we do not accept his amendment and accept the more recent Supreme Court decision this Legislature will once again find itself meeting to address the question of abortion. Therefore, I would urge that we adopt Senator Chambers' amendment. I think that the Supreme Court has stated a more refined definition of viability. Senator Chambers is offering it to this Legislature. It is the most current language the Supreme Court has to offer and I think it would be a mistake of this Legislature to turn down the opportunity to bring our law as closely in conformance with Supreme Court decisions as possible. As I indicated before, Judge Urbom did not address this question because the Supreme Court had not made the decision when he wrote his, but I do think that in subsequent time he will address this unless this Legislature chooses to conform to the U.S. Supreme Court. I think we have made the mistake in the past of trying to ignore what the U.S. Supreme Court has done, to act like it did not exist, that its language had no impact on us and it is because of that that just about every year we meet here and have to rewrite and redefine terms in our abortion statute, so I would support Senator Chambers' amendment.

SPEAKER MARVEL: First of all the Chair recognizes Senator Johnson who has an amendment to the amendment.

CLERK: Mr. President, Senator Johnson moves to amend the Chambers' amendment by amending the last sentence to read as follows: "The good faith judgement of the attending physician shall be conclusive."

SPEAKER MARVEL: The Chair recognizes Senator Johnson.

SENATOR JOHNSON: Mr. President, members of the chamber, I spent the weekend, Washington's holiday, reading the abortion case law so that I could fulfill my constitutional duty to support the constitution of the United States of America which is one of the parts of my oath