

specifically addresses itself to overturning or clearly saying it is redefining viability. The amendments as I have proposed have been accepted as stated even by Senator Hoagland, Senator Johnson, Senator Fowler, knowing full well that we are relying in these amendments upon the Roe v. Wade definition of viability which we as stated, feel is completely sound. This is not to say that Senator Chambers does not have compelling arguments, that his definition of viability would be satisfactory to a court, however, as stated, those who support the Roe v. Wade decision feel that is a better definition or I mean the definition of the Roe v. Wade, not the decision, feel that is a better definition and one that is on much more solid ground going into the courts. I urge you to reject the amendment of Senator Johnson and the amendment of Senator Chambers with the understanding I am not necessarily criticizing as incorrect or improper, this amendment, but on the contrary saying Roe v. Wade is a more satisfactory definition and one that we feel is sound.

SENATOR MARSH: Senator Dworak.

SENATOR DWORAK: Mr. President and colleagues, I think the points Senator DeCamp made out are extremely important when we talk about the Colautti case as opposed to the Roe v. Wade definition of viability. The Colautti case really did not even have a definitive judgement on the section that defines viability. The Colautti decision refers to the section, a different section all together, where we determine viability as opposed to definition of viability. We are getting into real fine areas, usage of words and usage of cases which many lay people like myself find themselves in very deep water but it is clear to me that if that case was not in the definition section and that is specifically what we are talking about here as far as Nebraska statute is concerned and we are willing to base our definition on that definition put out by the Supreme Court which still is, in my opinion, is valid. It is still the one that is used. It is somewhat irresponsible for us on the floor through amendments and amendments to amendments to alter or change this definition that was very carefully thought out and pondered by the Supreme Court and so I would urge that we reject Senator Johnson's amendment to Senator Chambers' amendment, then reject Senator Chambers' amendment and leave in our statute in Nebraska, the definition that is identical to that proclaimed and still in my opinion, totally valid, that of the Supreme Court in its Roe v. Wade decision.