

April 14, 1980

LB 1004

vote aye. All those opposed vote nay.

CLERK: Senator Clark voting aye.

SENATOR CLARK: Senator Dworak, for what reason do you rise?

SENATOR DWORAK: Mr. Speaker, there has not been one bit of discussion on the other side of this amendment. Not one speaker on the opposite side. And I don't think this amendment has been adequately debated.

SENATOR CLARK: I think I will have to agree with you, Senator Dworak. Senator Dworak is the next up to speak.

SENATOR DWORAK: Mr. President and colleagues, I think the first half of Senator Beutler's amendment is currently covered under the emergency section of existing statute and I will refer you to 28-326...."An emergency situation shall mean a condition exists that in the sound medical judgment of the physician the abortion should be performed without delay so as not to adversely affect the best physical and mental health of the woman." So I think that portion has been addressed, and I think in my own opinion we are talking in an area where two lives are affected, but the crux or the main portion of Senator Fowler's debate is that in the instance of this infamous type of a situation where you do have forced sexual relations, that is insidious, but do you punish the innocent third party when that type of situation occurs? I do not believe you do. But what I am saying is when two lives are involved, it is one life or the other, I think section 7 covers that. Now in any instance, I am not going to oppose the first half of Senator Beutler's amendment. I will oppose the second half, and because of that I would request that the amendment be split between the compensation section and the assault section and so we can vote on each portion of this amendment. Now on the compensation portion, we are talking about a nominal amount of money. We are talking about approximately fifty cents a month, if that much. Number two, you are going to have another opportunity when the state pay raise goes across to override the Governor's veto if you feel very strongly about that. So those issues should not be combined. That issue, the pay issue, should not be put in this issue. So I, personally, am going to support the first portion of Senator Beutler's amendment and I am going to oppose the second portion of Senator Beutler's amendment, and I am now going to move, Mr. Clerk, that the amendment be split into two halves, or request.

10079