

April 30, 1981

LB 466

when the public interest and safety is indicated. This is not true in this bill. To be constitutional a classification should rest upon some difference in situation or circumstances between the thing or a person placed in one class than that placed in another. We have been told that this is because of the health and safety, but in my letter I pointed out that it is the same health and safety regulations and we also have complications from vasectomies performed in a physician's office, wisdom teeth extracted in a physician's office, and other forms of surgery which currently are allowed. There are mechanisms for scrutinizing. There are mechanisms now available to the medical profession. The medical profession does not want to have physicians who use poor procedures or life threatening procedures.

SPEAKER MARVEL: You have thirty seconds.

SENATOR MARSH: This is not the mechanism for our legislation, but I would like to tell you that I have an amendment which would strike the original section of LB 466 and insert, "the performing of an abortion during the second trimester of pregnancy at any place other than a hospital is a Class IV felony". Let's use LB 466 if it is not killed for this, not what it has been introduced to do, another harrassment procedure.

SPEAKER MARVEL: The next person we will call on is Senator Higgins. I would like to introduce first of all from Senator Witala's District seven 3rd, 4th and 5th Grades and two adults from Elm Tree School, Valley, Nebraska. Mrs. Cindy Nielsen is the teacher and they are in the north balcony, right up there. Welcome to the Unicameral. Senator Higgins.

SENATOR HIGGINS: Mr. President, I call the question.

SPEAKER MARVEL: The question has been called for. Do I see five hands? Okay, all those in favor of ceasing debate vote aye, opposed vote no. Do you wish to cease debate? Have you all voted?

CLERK: 26 ayes, 3 nays to cease debate, Mr. President.

SPEAKER MARVEL: The motion is carried. Debate has ceased. The Chair recognizes Senator Fowler to close on his motion.

SENATOR FOWLER: With the Chair's permission I would make a couple of comments and then yield the rest of my