

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

June 3, 1997

LB 23

the child just as easily as saying "substantial".

SENATOR MAURSTAD: Senator, I think that it is a possibility that different words could have been used to end up with the same definition. You'll have an opportunity now to... chastise is too strong of a word, but once again we need to harken back that I used as the model for LB 23 that was originally introduced, and I'm sorry for taking some of your time.

SENATOR CHAMBERS: That's all right. I asked you. Go ahead.

SENATOR MAURSTAD: ...originally introduced from the legislation that was adopted last year by both houses of Congress and vetoed by President Clinton. That was my starting point to which then the Judiciary Committee worked, and so that was included in that. It's not an excuse. I think it's appropriate use.

SENATOR CHAMBERS: I understand. Now if you were trying to make a straight edge, a device known as a straight edge which you place down, draw a pencil or something along it to make a straight edge, if you used a crooked device could you make a straight edge? If the crooked device was the model, could you make a straight edge using a crooked device to mold your straight edge from?

SENATOR MAURSTAD: Well, Senator, in...

SENATOR CHAMBERS: You couldn't get it, could you?

SENATOR MAURSTAD: ...in my thinking I would say that it depends how long of a straight edge you were desiring.

SENATOR CHAMBERS: Okay, thank you. I want to ask a lawyer a question 'cause I... Oh, Senator Bromm is...oh, there he is. Senator Bromm, you were a prosecutor, so I want to ask you a question. If you were drafting an indictment, an information, a complaint against a physician for violating this statute and a part of the complaint would have to be a statement of what the person is supposed to have done wrong and you would allege that a substantial portion thereof, referring to an amount of the fetus that had emerged from the woman, what would that term "or a substantial portion thereof" mean?