

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

May 19, 2003

LB 95

have to examine every fold, every spec of tissue to see if we can find one cell in there somewhere? Those were not the kind of burdens that I wanted to impose on health care providers in this situation. But my amendment, to summarize, sets out two main criteria. The bill would apply in cases of confirmed pregnancy and in cases in which the remains are visible to the naked eye. Now when I say visible to the naked eye, a pathologist, in explaining this to me, held his fingers apart just enough so you could see light come through and said, I don't want to be too grizzly for you, but I have seen a hand or a foot; it is possible to see very, very small remains for a trained examiner, and sometimes the remains are not identifiable at the moment of the delivery; it happens later upon pathological examination. But those are the two criteria: confirmed pregnancy, and remains identifiable to the naked eye. Now there's nothing that prevents a patient from requesting the tissue, in case the patient thinks, well, just in case, I want it all, and the same way that you can get an organ or you can get your gallstones or other products of a procedure back if you want them. But as far as when...what's the threshold, when would LB 95 apply, and again confirmed pregnancy and remains identifiable to the naked eye. And that's all I have to offer, Mr. President. I'd be glad to answer questions if anybody has any. Thank you.

PRESIDENT HEINEMAN: Thank you, Senator Maxwell. Is there any discussion on the Maxwell amendment? Seeing none, Senator Maxwell, you'd be recognized to close on your amendment. He waives closing. The question is the adoption of AM1769 to the committee amendments. All in favor please vote aye, and opposed nay. Please record, Mr. Clerk.

CLERK: 32 ayes, 0 nays, Mr. President, on the adoption of Senator Maxwell's amendment to the committee amendments.

SPEAKER BROMM: The amendment is adopted. Next item on the bill.

CLERK: Mr. President, Senator Byars would move to amend with AM1980. (Legislative Journal page 1894.)