

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

April 8, 2004 LB 958

for first-degree assault of an unborn child from a Class III to a Class IIIA felony, and for the second-degree assault of an unborn child from a Class IIIA to a Class IV felony. Both of these changes were...came to the committee with Senator Foley's concurrence, and were concurred in by your Judiciary Committee. Lastly, the committee amendment creates a new criminal offense of causing serious bodily injury to an unborn child while operating a motor vehicle under the influence of alcohol or drugs. In eliminating some other language from the green copy and using this alternative, we are mirroring existing law at Section 60-6,198 of the Nebraska Revised Statutes which criminalizes this conduct, driving a motor...doing injury under...while driving a motor vehicle under the influence of alcohol or drugs. We're using this same standard with regard to an unborn child. A violation of this provision is punishable as a Class I misdemeanor. That constitutes the summary of the committee amendment as advanced by the Judiciary Committee, 7 votes in favor, 1 member not voting. I would urge the adoption of the committee amendments as a furtherance of an improvement in the bill and the advancement of the bill. Thank you.

SENATOR CUDABACK: Thank you, Senator Brashear. You've heard the opening on the committee amendments by the Judiciary Committee to LB 958. Madam Clerk, first amendment to those amendments.

ASSISTANT CLERK: Thank you, Mr. President. The first amendment I have to the committee amendment is from Senator Chambers. Senator, I have FA1613. (Legislative Journal page 1390.)

SENATOR CUDABACK: Senator Chambers, to open on FA1613.

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Madam Clerk. And I also have FA1613 before me, both on the gadget and on my pad of papers. I decided today, since we're going to spend the entire day on this bill, that I would proceed in the way of a professor. Let me explain what I mean by that. Even when I don't need my glasses, I may have them on, put them near the tip of my toes, let...my nose, let them rest there and peer over the top of them as professors are want to do. They also come to class with a sheaf of papers. Sometimes they look at