

May 7, 1973

child for adoption. Another consideration is that in the filing of birth certificates, it is the father who is, whose name is to be filed on the birth certificate and so I think that the--in Section 9, which my amendment leaves alone, that the situation is correct here and that the Nebraska Medical Association where they have suggested dropping this, I think this would be an improper action and not in cognizance of already existing decisions and State law. Sections 16 and 17 are stricken by the Stahmer amendment. The Nebraska Medical Association has suggested that these penalties do exist now. I have suggested already that problems of this nature have arisen. People have suggested that they are not sure that they do have these rights. We're saying that, let's spell them out specifically. Let's make sure the people understand what their rights are, that they can refuse to participate in an abortion if they are on a hospital staff and are asked to do so and that their job will not be put in jeopardy. Section 18 deals with experimentation on live fetuses. The Nebraska Medical Association suggested amendment and what I have suggested here are, for all practical purposes, the same except that the word "fetus" in the Stahmer amendment is changed to "live or viable aborted child in my amendment. I think this is a consideration where you have a live child that is aborted, experimentation on this live child is precluded and I think it should be. I've seen affidavits describing some of these experimentations and I don't think that anyone would agree that this is the kind of thing we want to accept in our society. In Section 19, both the Stahmer amendment and the amendment which I have offered to you, both suggest putting back into the bill Section 19, subsection 11, a requirement that the length and weight of the aborted child be recorded on the recording form and in this case, everyone is agreeing that this is information that is necessary to determine whether a viable child was aborted. That concludes the explanation of my particular amendments. If there are questions, I'll be glad to try to answer them, otherwise, I understand that my motion now is to be that I move to strike the Stahmer amendment and adopt these amendments as a substitute motion.

PRESIDENT: No, stand by, Senator Anderson now. Chair made a little mistake there. Let's go back and try this again. As we now interpret the amendments, the Stahmer amendment is to the committee amendments, correct? Stahmer amendment, according to Senator Stahmer, is to the committee amendments. Senator Anderson's amendment is also to the committee amendments, is that correct?

SENATOR ANDERSON: The, the text of my original motion was, I move to amend the Stahmer amendment to the committee amendments by striking the Stahmer amendment and inserting my amendment.

PRESIDENT: Alright, but as we interpret from up here and as we look at the amendments, the two really do not amend each other. Your amendment really does not amend Senator Stahmer's amendment. Is that correct, Senator Stahmer, as far as you understand it? Alright, the Chair, that's the reason that the Chair is trying to take them as separate amendments so we'll have the discussion on them both because, of course, they inter-relate in subject matter. Now, but, because Senator Stahmer's motion was up here first, the Chair feels an obligation that the vote first be taken on his amendment and then whatever happens to that, then we'll take a vote on yours. Now I realize that's changing my position from before but if somebody wants to challenge that, fine, they can challenge the Chair on it but it seems like that's the logical way to go. Now I know there will be discussion, I think, of