

May 10, 1973

Any further discussion of the amendment? If there's no further discussion of the amendment--Senator Stahmer. Okay, read the amendment. Sure.

CLERK: Okay, the amendment is found on page 1572 of the Journal. Reads amendment.

PRESIDENT: Any further discussion of the motion? Question is, shall the Maresh amendment then be adopted? All those in favor vote aye, all those opposed vote no. Voting on the Maresh amendment to 286 on Select File. Have you all voted? Once again, have you all voted? Senator Maresh, for what purpose do you rise?

SENATOR MARESH: Call of the House. We have only 30 voting I guess.

PRESIDENT: Good. Senator Maresh asked for a Call of the House. Clear the board. Next motion, please indicate your support of a Call of the House. All those in favor vote aye, all those opposed vote no. Motion is for a Call of the House. Motion is for a Call of the House, have you all voted? Have you all voted? The motion is for a Call of the House. Once again, have you all voted? The motion is for a Call of the House. Clerk will record.

CLERK: 17 ayes, 17 nays.

PRESIDENT: Motion has lost. Original motion, all right, do we have any other votes on the original motion?

CLERK: 17 ayes, 14 nays, 10 not voting.

PRESIDENT: Very good. 17 ayes, 10-what?

CLERK: 17 ayes, 14 nays, 10 not voting.

PRESIDENT: The motion has lost. The Maresh amendment has lost to 286 on Select File. Do we have other bills on Select File here?

CLERK: We have another amendment from Senator Fowler. I move to strike section 9 of the committee amendments on LB 286. Signed, Senator Fowler.

PRESIDENT: Chair recognizes Senator Fowler.

SENATOR FOWLER: Mr. Speaker, members of the body, I think there are several questions that have been raised about the implementation of this bill and most of them, it will be tested in court. I have no doubt that several sections of this abortion bill will be thrown out in the court. The section though that I think should be struck now is one that there may be difficulties in getting a court test on and this is the section requiring a father's consent. I see a very special problem in having a father's consent to have an abortion and I've raised this question with Senators Anderson, Cavanaugh and DeCamp who are supporters of this bill and they haven't really given me any sort of satisfactory answer to this problem within the language of the bill and they haven't seemed to come up with any sort of solution so I'm going to pose this as a solution to the problem. The problem that I see and it is a very special problem, there's all sorts of legal questions, but the very special one I think is for a woman who becomes pregnant through rape. Now if she knows who has raped her, in order for her to have an abortion she must get the father's consent. I feel that it's very doubtful that a rapist is going to sign such an admission of guilt and give consent to an abortion. Now this leaves the pregnant woman with the choice of lying about not knowing who the father is by signing that statement which is the only