

May 14, 1973

SENATOR MARSH: I have already read it. I wonder if the rest of the Senators are unable to read now.

SPEAKER: Once more, we will take the vote. All those in favor of letting him continue say aye. Opposed say nay. You may continue.

SENATOR PROUD: "As for the legality of giving the unborn child personhood, Justice Blackman speaking for the other Justices only said, in areas other than criminal abortion, the law has been reluctant to endorse any theory that life as we recognize it begins before live birth or to accord legal rights to the unborn child except in narrowly defined situations and except when the rights are contingent upon live birth. In short, the unborn have never been recognized in the law as persons in the whole thing. The unborn child also has had limited legal rights, such as, the right of inheritance, can sue for injuries prior to birth, receive social security benefits, can have a guardian appointed, can ask for an injunction, and may be an executor. We hold these truths to be self-evident that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among those rights are life and so forth, that to secure these rights aboriginals (sp) are instituted among men." And then she quotes lastly from the Declaration of Independence, or she quoted from that. "The child by reason of his physical and mental immaturity needs special safeguards and care including appropriate legal protection before as well as after birth. Declaration of the Rights of a Child, General Assembly of the United Nations, November 20, 1959. The concept of an individual state recognizing a certain class of citizens of persons is not unprecedented. Women's suffrage, Wyoming, 1869, and the recognition by those states choosing to be free accorded by people more rights than a piece of property." That is Mary Lyons statement. I have done my duty, I believe, to Mary Lyons. She has had her say.

SPEAKER: Senator Goodrich.

SENATOR GOODRICH: Mr. President, members of the body, as you all know I am from Omaha and as you all know now since Senator Proud told you Mary Lyons comes from Omaha. I have talked to Mary Lyons on a number of occasions and she asked me to propose this same proposal which I, frankly, said, No, I will not do it. I, for one, can tell you my interpretation of this three or four or five pages of verbage to the effect..it boils down to the effect that if an abortion is allowed, it is considered murder. There is no way on God's green earth that this can be considered to be in compliance with the Supreme Court decision. I again urge this body to leave this bill alone. The Health Committee did an awfully lot of work on this bill and if they want to do something, let's make it a separate bill, but don't cloud up the issue of abortion with this particular amendment. It's for that reason that I would strongly urge you to reject this amendment and let's get on with the passage of 286 and let's save as many of the children as we can.

SPEAKER: I remind everyone the motion before us is to return to Select File 286 for the specific amendment. Senator DeCamp is next.

SENATOR DeCAMP: Mr. President, members of the Legislature, I'll try to be very brief. I certainly admire this young 15 year old girl who is so concerned about this like the rest of us and who has taken the time to write this legal treatise there that Senator Proud just read, but I think, possibly, it would clarify exactly what Senator Proud's intention is and what the amendment does if I could ask him