

against persons making unauthorized disclosure in violation of this act as well as other general actions recognized under common law." So that I do not deceive you, so that you are not confused, this is a major part of the bill. It may, in fact, probably does, probably should go beyond the mere area of abortion. It addresses the whole right of privacy and recognizes its existence in the state. There are any number of other minor changes in reporting forms, so on and so forth but let me summarize by saying this. The pro-life group were insistent upon maintaining a certain amount of things. One was the definition of abortion which is in there. The second thing was the delayed period between informed consent and the performing of an abortion unless an emergency exists. A third thing was informed consent. A fourth thing had to do with minors, consent, this type of thing. Every one of the major elements that the pro-life group felt were important, absolutely necessary, have been retained. However, major concessions have been made in refining the statutes on behalf of the pro-choice groups with respect to emergencies, confidentiality, right of privacy, changing the statute with respect to abortions performed or prescribed, with respect to the claim that an unintended abortion could even put somebody in jail, our definition of abortion overcomes that. So all in all, I think the amendments do address all the issues and in those issues where there is legitimate disagreement with the pro-life group saying, absolutely, this is constitutional, we are allowed to, but it hasn't been decided by the courts, the pro-choice group saying, absolutely wrong. It is going to be unconstitutional. Those areas have been put in form to get before the courts so that the courts can make a decision. I go back to the viability section to clarify it. It may be proper to put in something as to how the physician determines viability. That is a separate issue from the definition of viability. I feel our definition of viability is satisfactory. If those on the pro-choice group wish to do something on determination of viability, I would certainly be willing to sit down and discuss it but I do think it is a separate issue. I urge you to adopt the amendments.

SPEAKER MARVEL: Senator Fowler and then Senator Chambers. The Chair recognizes Senator Fowler.

SENATOR FOWLER: Mr. President, members of the Legislature, I rise to support the DeCamp amendments, not because I believe that they relieve all the constitutional objections in our current state law but they do remove a significant number of minor issues that at least there was some concurrence among us should be removed. It still leaves some