

March 26, 1973

(Start Belt #2)

SENATOR WHITNEY: It would seem to me Mr. President that we ought to know something about what's in the resolution, in order to know whether to take it up or not, and may I ask Senator Kennedy a question?

PRESIDENT: Will you yield Senator Kennedy?

SENATOR KENNEDY: Yes certainly.

SENATOR WHITNEY: Does this mean in this resolution that it would be impossible, what I mean is, illegal if this passed to have any abortion of any kind by any woman in the United States?

SENATOR KENNEDY: No this is not true and we are only asking for the Congress of the United States to take action so that it is not as free and open as the Supreme Court ruling as we have interpreted it.

SENATOR WHITNEY: As I read the thing I would interpret it they way my question implies, that the Congress of the United States take appropriate action to adopt a constitutional amendment, that will guarantee the explicit protection of all unborn human lives.

SENATOR KENNEDY: This would be true in the course of your saving the life of the mother by abortion, this would be a doctor's decision and so forth according to the attorneys interpretation of that and I'm only going by their wisdom. I'm sure it would be more specific if it was written into law by Congress or by our state and our state I'm sure will be working on that very subject. As to law, it would have to be interpreted according to the way it was explained to us and that would be that the decision would be by the doctor and person involved.

SENATOR WHITNEY: Mr. President, my vote on this will be based upon my interpretation of what I think is intended here, and that is there would not be permitted if this went through, any abortion whatsoever.

SENATOR KENNEDY: In other words you would probably like to see the wording changed to the decision be made by the doctor and the person involved?

SENATOR WHITNEY: It would seem to me Senator Kennedy, that the resolution is too all inclusive, not allowing anything for limitations.

SENATOR KENNEDY: I think probably this is very true, if we were going into law and specifics it would be spelled out and that is why I'm saying this is a resolution our intention is to make it as stringent as close as possible and that would be the intent of the resolution if it were law it would have to be spelled out.

PRESIDENT: Senator Chambers did you wish to be heard on whether to take this up or not?

SENATOR CHAMBERS: Yes, Mr. President and members of the legislature, this is an extremely important issue, it's a very emotionally and religiously charged issue. I think this resolution ought to be handled as a bill to allow for a public hearing, one of the reasons is because as has been pointed out, with, when the ERA was being considered, the legislature obviously is dominated by males. A lot of times males tend to be insensitive to those things which do not relate to them