

PRESIDENT: Senator Cope.

SENATOR COPE: Mr. President, members. A question of Senator Chambers please?

SENATOR CHAMBERS: Yes.

SENATOR COPE: Senator Chambers, would you read to me now exactly how this section will read with your amendment so that I can be sure to understand it?

SENATOR CHAMBERS: Senator Cope, there will be no Section 49. So any amendments attached to it would be stricken also.

SENATOR COPE: Would you read the amendments, that is, the section so that...

SENATOR CHAMBERS: There would be nothing left, there would be nothing left in Section 49. There would be nothing for me to read.

SENATOR COPE: Well, then Section 48, that's agreeable, "no abortion shall be performed..."

SENATOR CHAMBERS: That's not touched by the amendment that I'm dealing with. That's why I was trying to make it clear...

SENATOR COPE: In other words, there would be no Section 49 whatsoever.

SENATOR CHAMBERS: Right.

SENATOR COPE: That's what I wanted to be sure. Thank you.

PRESIDENT: Senator Dworak.

SENATOR DWORAK: Mr. Chairman, colleagues. I have a question of either Senator Chambers or Senator DeCamp and I'll start with Senator Chambers. Senator Chambers, are we talking about consent or are we talking about consultation? In my mind, I think the father should be consulted with. I don't think necessarily we need his consent or the mother needs his consent to go ahead with the abortion, but I see nothing wrong with that father being consulted with. I think that brings him into a decision that he is equally responsible for and also presents to him ramifications of his previous action. Now are we talking about consent or consultation?

SENATOR CHAMBERS: Senator Dworak, a husband or a father of a child cannot order the woman bearing the child to have an abortion. The Supreme Court said he cannot interpose his veto and prevent her from having one. There is no legally recognizable benefit to be derived from requiring her to consult with the father. You are getting now into an area of domestic relations which can be worked out however possible between the woman and the father of the child, but the Supreme Court is indicating that the state at this point cannot inter-vene to impose a burden on the woman making a decision. There-fore if the state cannot mandate the father's approval, it cannot mandate that the woman consult with him. There would be nothing to be gained by that anyway so it is clear that this provision, the amendment that was adopted, is a stratagem and designed to make the abortion decision so burdensome that the woman might not make it. The court did not specify all the burdensome things but it said nothing burdensome can be attached to that decision by the state.