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FLOOR DEBATE

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offenses. Similarly, the federal Unborn Victims of Violence Act, signed into law just last week, establishes penalties for criminal acts that cause the bodily injury or death of an unborn child. That bill in Congress was passed by the House of Representatives, 1999, 2001, and again in February of this year, and it was approved by the U.S. Senate two weeks ago. The amendment seeks to model these legislative efforts to provide full legal protection to some of our state's most vulnerable individuals from criminal attack. A need for this bill does exist. Since the Homicide of the Unborn Child Act passed in 2002, there have been two known cases where pregnant women and their unborn children were murdered. The legal process is now unfolding in those cases and the killers can be subject to charges of the murder of two individuals. However, if the unborn children in these cases had lived through the attack and suffered serious bodily injury, the assailants could not be charged with any crime against the unborn child. The amendment fixes this deficiency in our law and closes the loophole. The law is also needed because it has been shown that pregnant women and, consequently, their unborn children are more likely to experience violent attack than women who are not pregnant. The amendment recognizes this phenomena and seeks to provide some legal protection for the child the woman is carrying. The state of Nebraska has created felony charges...felony penalties, excuse me, for animal cruelty. Just last year the Legislature unanimously passed legislation that would make acts of cruel mistreatment of an animal a felony. If state laws can recognize and punish nonfatal violence impacted upon animals then surely we can offer some legal protection to unborn children. The amendment does not apply to any action taken or conduct by the mother of the child, or by a physician or licensed healthcare provider...provider conducting any medical procedure performed with the consent of the mother, or by a person who dispenses or administers a drug or device in accordance with law. Mr. President, I'd ask for the advance of AM3493. Thank you very much.

SENATOR CUDABACK: Thank you, Senator Foley. You've heard the opening on AM3493 by Senator Foley to LB 943. Now open for questions. Senator Thompson, for what purpose do you rise?