

Lindsay's amendment would make it? That's a question I would ask you.

PRESIDENT: Senator Ashford, please.

SENATOR ASHFORD: What amendment are you on, Senator Chambers? I thought we were on your...the amendment as amended by your amendment.

SENATOR CHAMBERS: Yes, well, we're just taking a part at a time and with my amendment it's a crime for a physician not to give the notification and that is the heart of the bill, making it a crime. So I was just wondering why you would support this proposed...his amendment which would make it a crime.

SENATOR ASHFORD: Well, maybe after I listen to your discussion I will change my mind, Senator Chambers.

SENATOR CHAMBERS: Okay. Members of the Legislature, I just don't think it's appropriate to attach criminal liability to the action of a physician in connection with a procedure that is legal. Forget morality and all these other things that we have talked about and look at what we're doing in the realm of the practice of medicine. In Nebraska, under the statutory law of this state, it is not a crime for a physician to perform an abortion. That is not a crime. It is not a crime for a physician to perform an abortion on a woman who does not have her parents or her spouse or the father of the child's consent. That is not a crime. There are certain things which the state cannot do when it comes to interfering with or burdening a woman's decision to have an abortion. This is a two-pronged monster. One prong is designed to make it as difficult for the young woman as possible and the second is to make it as difficult for the physician as possible. There is a person who has need of a service and there is one licensed under the laws of this state to perform it. The service is legal. It is legal for the woman to seek it. It is legal for the physician to make it available. The Legislature, knowing it cannot interfere with either of those two activities, is trying to find a spot in between where they can make it difficult for both parties, the woman seeking the abortion and the physician who would perform it. And by using all of the stratagems that religious people are famous for and have been famous for throughout history, they come up with a club or a two-faced axe so that when you swing it behind your back you chop the doctor in the head, then when you