

which has and will occur in Nebraska as a consequence of the United States Supreme Court. It goes down further, that currently this state is prevented from providing adequate legal remedies to protect life, health, and welfare of pregnant women and unborn human life. It goes down further, terms defined, abortion shall mean act, procedure, device or prescription administered to a woman known by the person so administering to be pregnant and performed with the intent and result of producing the premature expulsion, removal, or termination of human life, of human life, again, within the womb of the pregnant woman except that in cases in which the unborn child's viability is threatened by continuation of the pregnancy. Early delivery after viability shall not be construed as an abortion for the purposes of these two sections. It goes on further, pregnant shall mean that condition of a woman who has unborn human life within her as a result of conception. And I believe that is about all that we have in the Criminal Code, but that was done LB 38, 1977. Thank you.

SPEAKER BAACK: Thank you, Senator Labeledz. Next speaker on the amendment is Senator Schmit.

SENATOR SCHMIT: Mr. President and members, it is ironic that many individuals, including Senator Nelson who has introduced this resolution, are some of the strongest proponents on this floor of the rights of children, and I do not believe for one minute that because Senator Nelson introduced this amendment or because others support the amendment that they think any less of the rights of children. Senator Chambers, with his usual eloquence, always brings up the religious aspect, and that is his right to do so. The facts are that there are persons on this floor of various religions or no religion who would oppose the amendment and some who would support it. I do not support the amendment. I believe very sincerely that the life of the child begins before birth, is a living human being. I don't know exactly when the soul enters that body, and for those of you who believe in a soul, but I am convinced that the unborn child has a right to life. I find it sort of ironic that we have to weigh between the right of the mother, for her own preference to terminate that life, or the right of a child to live; that there are those of us who come down on the side of the child, and others who say, no, the mother has a right to terminate. It is ironic that a few days time can mean the difference between a criminal sentence for infanticide as opposed to an abortion. I believe that abortion is termination