

spend more time in addressing this particular problem. So again, thank you, Senator Bernard-Stevens, for bringing this resolution and I would urge the body to support the resolution. Thank you very much.

SPEAKER BAACK: Thank you Senator Hillman. On the Hillman amendment, Senator Moore. I don't see Senator Moore. Senator Landis, on the Hillman amendment.

SENATOR LANDIS: Thank you, Mr. Speaker, members of the Legislature, I rise to support the Hillman amendment and the Bernard-Stevens amendment. Senator Lindsay, I think, raised a fair set of questions, basically a challenge to those of us who are opponents to 78 to debate the real issues as he outlined them. He described 78 as a measure designed to be a consumer protection to assist women in what he regards as a hostile environment, that is the abortion clinic which may have a pecuniary interest or does have a pecuniary interest which leads them perhaps to paint different pictures than what the woman should be entitled to. I should like to take a look at that characterization of the situation piece by piece because I don't think it stands on firm grounds on any of those three points. First, the lack of regulation; secondly, the nature of the pecuniary interest and, third, the hostility of the environment that this represents. The first point that Senator Lindsay raised was that this is a matter of consumer protection and that this is an area that is a largely unregulated one in the state. Nothing could be further from the truth. A doctor performing an operation or a medical procedure in a clinic operates under professional standards just like every other doctor does. Those professional standards are administered by the profession and for which one may lose their license. That's one measure of regulation. Secondly, not only can the profession regulate itself, but the courts may regulate through medical liability. In the event somebody has performed a nonprofessional practice, has been negligent in the carrying out of their functions, they may be sued by an individual who is so wronged, taken to court and awarded large damage awards. That's the second form of control that exists in this situation. The third form of control that you have in this situation is the fact that Senator Lindsay is amending Chapter XXVIII, Article 3. This is offenses against the person and this one is listed under abortion. With respect to the items of informed consent which are now in our statutes and found in 28-326, there is a section of law, 28-328, that says an intentional and knowing violation of Section 28-327