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FLOOR DEBATE

March 12, 2003      LB 294

SENATOR FOLEY: Today?

SENATOR CHAMBERS: Yes.

SENATOR FOLEY: (Laugh) Yes.

SENATOR CHAMBERS: Thank you, Senator Foley. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Chambers. On with discussion, Senator Bourne.

SENATOR BOURNE: Thank you, Senator Cudaback, members. Would Senator Foley yield to a question or two?

SENATOR CUDABACK: Senator Foley, would you respond?

SENATOR FOLEY: Yes, I sure will.

SENATOR BOURNE: Thank you. Senator Foley, just a couple quick questions just for clarification. I read the bill last night and particularly I'm interested in the language on line 12 where it talks about, "although the death was caused under such circumstances as amount in law to a felony." So, just for clarification purposes, if an individual was to bring a civil action, as contemplated in this bill, they could only do it if the death of the unborn child was as a result of a felony?

SENATOR FOLEY: No. No, that's not quite right. I think what that language...I know what that language is saying. What it's saying is, if a person commits a felony, let's say a person assaults a pregnant woman, that's a felony, and in the course of that assault the unborn child is killed, the person can be prosecuted criminally for the assault. In addition to that criminal prosecution, under this bill that assailant could be brought to trial on a civil action.

SENATOR BOURNE: Okay.

SENATOR FOLEY: So it would be civil liability in addition to the criminal liabilities that are already in statute.