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LB 95

SPEAKER BROMM: Senator Maxwell, to open on LB 95.

SENATOR MAXWELL: Thank you, Mr. President. This bill allows parents to direct disposition of the remains of a child in the case of a miscarriage. So you have a miscarriage and if you want to claim the remains you would be able to do so under this bill. I think it's a relatively innocuous bill, although when I filed it, to my surprise, the media and the ACLU came calling, saying what's going on here, what's this bill, is this something to do with abortion. It does not deal with abortion. In fact, there's a provision in the bill making that clear. What happened was a couple approached me. I'll tell you a little bit more about them in a moment, but a couple had a miscarriage early on in the pregnancy, wanted the remains to be interred...in their view, they lost a child...but were told by the hospital, no, I'm sorry, the law says that we don't have to issue a death certificate unless a pregnancy has reached at least 20 weeks and so that's our threshold for recognizing that you lost a child; anything before 20 weeks we just dispose of that as medical waste. For these folks, that was very painful to hear and that's when they contacted me. It's the first that I met them--Shannon and Michelle Saltzman. What I've passed out to you is a letter that they prepared. I'm just going to read you a few excerpts. I provided it for you in case you want it for your file. This was written by Shannon Saltzman, the husband and father, on behalf of himself and his wife, and the mother Michelle. And I'm going to skip down a couple paragraphs: On November 10, 2000, we discovered that our first child was on the way. Our dream had come true; no words can express how happy we were. We started a journal for our child to see one day. By December 6, we had already received the news that a miscarriage was imminent. Just as quickly as our dreams had begun with plans and preparations, the death of our child came and new preparations took over. At the time, the baby was still alive and growing, but there were too many signs indicating that the baby would not be able to make it. We were told to simply wait until the miscarriage happened. We knew that our baby's heartbeat was steadily getting weaker, until December 12, when it had finally stopped. The doctor suggested surgery, but we decided to wait for it to happen naturally. On December 14, my wife wrote the following in our pregnancy