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chemical of some kind to a pregnant woman and now we see the result of that malicious act. I think that that case is not impossible, and this bill would allow for prosecution in that kind of a case. Now, the real world, we are not going to see many cases like that. In the real world, we're going to see cases where the child is much further along in development in utero, and there is a malicious violent act committed against the pregnant woman, and you've got a very clear, much more clear picture, and the evidence is much more solid. And those are the kinds of cases that the prosecutors will bring. We've got the experience of all the other states over many, many years on fetal homicide and so forth to lead us to that conclusion. But I don't want to close the door to the more unusual case of damage that would occur to the child much earlier in the pregnancy and that's what this bill allows. Thank you for the time.

SENATOR CUDABACK: Thank you, Senator Foley and Senator Friend. Senator Schimek. Sorry to bother you.

SENATOR SCHIMEK: Thank you, Mr. President, for waiting. I was just trying to grab a bite of lunch. I'm going to have trouble supporting this bill, Senator Foley, and I mean we haven't really had much of a discussion today about whether any of the provisions are open to change or not. And I suppose that my number one change would have to be under Section 3, paragraph (2), that the unborn child means an individual at any stage of development in utero. And I don't think that's feasible or good legislation, but at this point I guess I'm going to just simply listen to see if anything develops along that way. I didn't support the previous bill that interrupted the criminal statutes. I did support the bill that involved the civil statutes. But we're talking here about the kinds of penalties which go all the...range all the way from a misdemeanor to a felony, and I think that that's going to be...the bill is going to be somewhat misleading because I don't believe you're going to be able to prosecute some of these injuries that we're talking about. I mean how does one go about proving some of these injuries, quote, unquote? If a woman...well, I'm not sure that I think it can be done. And at this point, I guess I would return my time to the Chair, Senator Cudaback.