

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

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[LB8 LB10 LB10A LB11 LB46 LB57 LB85 LB124 LB151 LB222 LB280 LB300 LB318  
LB368 LB377 LB407 LB427 LB447A LB589 LB624 LB639 LB645 LB655 LR6 LR18CA  
LR37 LR38 LR39 LR40 LR41 LR47 LR48 LR49]

PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the thirty-sixth day of the One Hundred Fifth Legislature, First Session. Our chaplain for today is Father Mark Seiker, Pastor of the St. Elizabeth Ann Seton Catholic Parish out in North Platte, Nebraska, Senator Groene's district. Father Seiker also happens to be the brother-in-law of the presiding officer. Please rise.

FATHER SEIKER: (Prayer offered.)

PRESIDENT FOLEY: Thank you, Father Seiker. I call to order the thirty-sixth day of the One Hundred Fifth Legislature, First Session. Senators, please record your presence. Roll call.

SPEAKER SCHEER PRESIDING

SPEAKER SCHEER: Mr. Clerk, please record.

ASSISTANT CLERK: There is a quorum present, Mr. President.

SPEAKER SCHEER: Thank you, Mr. Clerk. Are there any corrections for the Journal?

ASSISTANT CLERK: No corrections this morning.

SPEAKER SCHEER: Are there messages, reports, or announcements?

ASSISTANT CLERK: Mr. President, your Committee on Business and Labor reports LB639 to General File with committee amendments. Enrollment and Review reports LB8, LB11, LB57, LB10, and LB10A all to Select File. Priority bill designation: Senator Lowe has selected LB368; State-Tribal Relations Committee has selected LB407. New resolution, LR49 by Senator Albrecht; that will be laid over. And finally the Business and Labor Committee will hold an Executive Session at 10:00 a.m. under the north balcony. That's all I have this morning. (Legislative Journal pages 551-552.) [LB639 LB8 LB11 LB57 LB10 LB10A LB368 LB407 LR49]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

---

SPEAKER SCHEER: Thank you, Mr. Clerk. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR37, LR38, LR39, LR40 and LR41. Mr. Clerk, first item. (Legislative Journal page 553.) [LR37 LR38 LR39 LR40 LR41]

ASSISTANT CLERK: Mr. President, the first bill for consideration this morning is LB46 which was introduced by Senator Watermeier. (Read title.) The bill was introduced on January 5. It was referred to the Transportation and Telecommunications Committee which reported the bill to General File with no committee amendments. The bill was considered on February 24. At that time Senator Watermeier, as provided by rule, had the first amendment, that being AM37. That item is currently pending, Mr. President. (Legislative Journal page 544.) [LB46]

SPEAKER SCHEER: Thank you, Mr. Clerk. Senator Watermeier, would you like to refresh us on LB46 as well as AM37? [LB46]

SENATOR WATERMEIER: Thank you, Mr. President. Good morning, Nebraska, and good morning, colleagues. Just a brief reminder, LB46 was a bill that I introduced right away this session and we've had conversations about over the years, but it basically creates and designs Choose Life License Plates which are reflecting the support for the protection of Nebraska's children. Twenty-nine other states do have this plate and we feel like it is a good conversation to have. I appreciate the argument inside of the Transportation Committee. It came out 8-0. I think you have lots of support on the floor and in Nebraska. I did offer AM37 which basically changes where the funding was going to go. I felt like that was part of the concern about where the funding was actually going. My amendment basically puts it into TANF, which is Temporary Assistance for Needy Families. With that, I would ask for your support on AM37 and LB46. Thank you, Mr. President. [LB46]

SPEAKER SCHEER: Thank you, Senator Watermeier. Seeing no one in the queue, Senator Watermeier, you're welcome to close on AM37. [LB46]

SENATOR WATERMEIER: I'll waive closing. [LB46]

SPEAKER SCHEER: Senator Watermeier waives closing. The question before us is adoption of AM37. All those in favor vote aye; all those opposed vote nay. Have all voted that wish to? Record, Mr. Clerk. [LB46]

ASSISTANT CLERK: 38 ayes, 0 nays on the adoption of AM37, Mr. President. [LB46]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

---

SPEAKER SCHEER: AM37 is adopted. Going back to the queue, Senator Chambers, you're recognized. Excuse me, Senator Chambers, we have amendments. Mr. Clerk. [LB46]

ASSISTANT CLERK: Mr. President, there are other amendments, the first being from Senator Morfeld, AM40. (Legislative Journal page 339.) [LB46]

SPEAKER SCHEER: Senator Morfeld, you're welcome to open on your amendment. [LB46]

SENATOR MORFELD: Thank you, Mr. Speaker. Colleagues, I filed AM40 for a few different reasons. First, when I originally read the bill, my first impression is, well, somebody wants their license plate, then that's fine, they can have their license plate. Doesn't bother me really one way or another and I'll get to that in a moment. That being said, as I read the bill, I saw that the funding would go to support child abuse, which I'm obviously in support of more funding going to child abuse. The concern that I had is this is a license plate that obviously touches on a deep-rooted, hot-button political issue for many people in the body on both sides of that issue. And that if I didn't agree necessarily with the message on the license plate, I would also have to vote against funding for children that are experiencing child abuse, and that's a very deeply personal issue for me. It's something that I experienced as a child and I didn't like the way that that put me in a position to have to vote against funding for child abuse. And so my amendment, what it does is it changes the message from "Choose Life" to "stop child abuse". Now, several people came up to me and talked to me about this, including the introducer of the bill and including several supporters of the bill, and asked me about my amendment and I explained to them the background and the purpose of it. I believe that the amendment we just passed generally takes care of my concerns that is being addressed by AM40. That being said, one of my other concerns about this bill is the fact that generally license plates that we have approved are for the most part fairly noncontroversial in the sense of celebrating our 150th birthday, or recognizing people's military service, depending on the branch of service in which they served their country. This is an issue that is fairly controversial and it concerns me that we essentially give the stamp of the state on a controversial issue that is very divisive and that goes on a state-funded license plate without giving the opportunity for other people who may have a differing view to have a differing license plate. Would Senator Watermeier yield to a question? [LB46]

SPEAKER SCHEER: Senator Watermeier, would you please yield? [LB46]

SENATOR WATERMEIER: Yes, I would. [LB46]

SENATOR MORFELD: Senator Watermeier, if I substitute this amendment with an amendment that would allow for both the Choose Life License Plate but then also a pro-choice license plate,

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

---

would that be a friendly amendment or would that be a hostile amendment, in your opinion?  
[LB46]

SENATOR WATERMEIER: To me that would be hostile to the intent of my bill. [LB46]

SENATOR MORFELD: Okay. Thank you, Senator Watermeier. Colleagues, that's the reason why I'm going to oppose this legislation in the end, is that if we are going to put political statements on state license plates, then we should be able to avail our citizens of both arguments and both sides of the debate. One issue that is a hot-button issue for me is voter I.D. and voting rights. I would not feel comfortable supporting a bill that says, oppose voter I.D. on our state license plate, without giving the other opportunity for citizens who disagree with that to have the opposing license plate in the message on that license plate which would be support voter I.D. Personally, I feel as though we should not be putting political messages on our state license plates. I think that if we're going to allow for customized plates of this type of nature, then what we should do is make sure that they are noncontroversial, nonpolitical message type of plates that the vast majority of the state can get around. And that's why I'm going to oppose this legislation. I'll let my amendment go to a vote. But in the end, I do not believe that we should have hot-button political issues and messages be a part of our state license plate where the state of Nebraska's stamp is on it. Thank you, Mr. President. [LB46]

SPEAKER SCHEER: Thank you, Senator Morfeld. Senator Chambers, you're recognized.  
[LB46]

SENATOR CHAMBERS: Mr. President and members of the Legislature, I agree with what Senator Morfeld said, but I would add a proviso. I am extremely opposed to this kind of material on the license plates. I'm not going to go into a long discussion of how I had always fought these matters and then when I was gone during term limits, enforced vacation, they put--they meaning the legislators--any number of types of license plates on the books. Not one of them that I could look at dealt with the attempt to inject a political debate on to the license plate in the same way that the so-called social media creates foments and encourages antagonistic relationships between and among individuals and groups. Abortion has corrupted this Legislature so much that the law currently, I believe, still has a tax against the U.S. Supreme Court for its decision legalizing abortion based on the idea of a personal right of privacy that belongs to a woman. That personal right of privacy belongs to everybody. There are certain so-called zones of human conduct where that right obtains. It can be found, a basis for it, in the Fourteenth Amendment, the Ninth Amendment, the Fifth Amendment to the U.S. Constitution, and what they call the penumbra of the Bill of Rights, which would be the first Ten Amendments. I hear all of these conservatives talk about excessive government regulation until it comes to something that they want to regulate. The government ought to stay out of people's personal affairs until their

Floor Debate  
February 27, 2017

---

personal affairs that these so-called conservatives disagree with, then it's full speed ahead. I doubt that anybody on either side of the question of abortion would say that it is not a contentious issue. I have found and stated great disagreement on my part with what I have found in the so-called pro-life camp. While being concerned about a zygote, that's when the two cells, the male and the female, decide to form a partnership and produce ultimately another human being. They are concerned about embryos, which are an early stage of development of this potential human being, and they're concerned about a fetus, which is a further development. But once all of this activity has culminated in the birth of a full-fledged human being, the interest on the part of most of these pro-life groups and people... [LB46]

SENATOR HUGHES PRESIDING

SENATOR HUGHES: One minute. [LB46]

SENATOR CHAMBERS: ...will come to an end. And this is especially noted among the "Repelicans", that party of hypocrisy and it's presided over by the so-called President, Donald Trump, who now pretends to be religious. He sowed the wind during his campaign and now America's reaping the whirlwind. In Philadelphia, the city called the City of Brotherly Love, several hundred tombstones and graves were savaged in a Jewish cemetery. This is a direct outgrowth of what Trump has created. And the society will survive this as it has survived other things, but there is a very timely period... [LB46]

SENATOR HUGHES: Time, Senator. [LB46]

SENATOR CHAMBERS: Thank you, Mr. President. [LB46]

SENATOR HUGHES: (Doctor of the day introduced.) Thank you, Senator Chambers. Senator Krist, you're next. [LB46]

SENATOR KRIST: Thank you, Mr. President. Good morning, colleagues, and good morning, Nebraska. This is probably the one and only time I intend to speak on this issue. When I came into the Legislature, Senator Chambers was just a few years from coming back, and I was warned that if I had any aspirations of changing the funding mechanism for 911 or personalized license plates, I'd better do it now before he gets back. History proves that Senator Chambers was not necessarily in favor of license plates that differed from the standard Nebraska plate. So let me give you a little history. If we had individual license plates that would have been stamped out by our prisoners without the courtesy or the ability to do what we do today in terms of digitally producing license plates, it would have been more expensive than producing the license

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

---

plate we can today. And in essence, it becomes a moneymaker for the state of Nebraska, every plate that is personalized that is stamped out. For example, my 150 plates, the sesquicentennial plate that I have on my car, is an additional \$70 above and beyond what you would normally pay for the plate. I'm committed to keeping that plate on during the 150-year celebration of the state, which starts on Wednesday. However, what I think we have done, you know, I was warned, Senator Dennis Utter, who was part of this body until he passed away a few years ago, told us all and warned us on a daily basis, beware of the slippery slope. I hated that when he said it because I think everything is a slippery slope and it kind of demeans what we do here. But he's a man who is very wise. Looking back on it, we have indeed created a slippery slope. We have Creighton University, Friends of the Union Pacific Railroad, Nebraska Cattlemen Research, Air Force, Army, Coast Guard, Marines, National Guard, Navy, the Gold Star Plate for those who immediate families of a member of the United States Military who died while serving, just to name most, but a few. And you'll recognize, I hope, in that laundry list that I just read, there are no controversial plates. So where do we draw the line? Friends of the Nebraska death penalty? How about that one? Where do we draw the line where we say, no, this is too controversial? DMV already has their hands full in terms of the actual message on the plate. I think you can appreciate the fact that when they receive a message plate and request, they have to carefully scrutinize to see if it's offensive or not politically correct, if you will, to have a license plate that depicts something that everyone knows is poor taste or worse. So those of you who know me know that I am pro-life, unlike the example that Senator Chambers just used, I have voted to take care of the born and the unborn throughout the time that I have been here. I have voted to make sure that everyone is protected and that the essential services that we need to provide to people for health and well-being and safety are there when at all possible. I remember a late night where a senator who is no longer with us... [LB46]

SENATOR HUGHES: One minute. [LB46]

SENATOR KRIST: ...was standing down in the front and he said, I just don't want to take the chicken out of the pot, I want to take the water back and I want to take the pot. Well, that's the antithesis of what I've tried to stand for in this body. But I don't think I can support this plate because this truly is the last muddy slope to take us down into a very controversial issue, whether you're pro-life, pro-choice, pro-death penalty, anti-death penalty, where do we draw the line? Thank you, Mr. President. [LB46]

SENATOR HUGHES: Thank you, Senator Krist. Senator Watermeier, you are recognized. [LB46]

SENATOR WATERMEIER: Thank you, Mr. President. I appreciate the comments on the bill so far this morning, it's good debate, but I wanted to address back to AM40 which I will oppose,

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

---

Senator Morfeld's AM40. A couple of things as far as the idea. If you want to talk about a pro-choice license plate, you're certainly are free to bring that up. It would be a little unfair to have an amendment like this pass on this bill because it didn't have a hearing as such as pro-choice would have had. So I would suggest that that individual or those groups would be free to go ahead and have a bill next year and bring up the topic about pro-choice. The other thing is I want to remind you about this is a volunteer license plate that you have to pay an additional fee for, and in that regard, I believe it completely stands on its own. The message stands on its own and I would stand opposed to AM40 to LB46. Thank you, Mr. President. [LB46]

SENATOR HUGHES: Thank you, Senator Watermeier. Senator Walz, you're recognized, or excuse me, Senator Chambers. My apologies. [LB46]

SENATOR CHAMBERS: Thank you, Mr. President, members of the Legislature. Because of our intellectual bent, people often confuse the two of us, Senator Walz and Senator Chambers. I wish I had on a black shirt today, I have to look to see, and I was going to say, there is an additional reason. But members of the Legislature, I had opposed all messages on license plates--all of them. There have been attempts in the south to use the letters KKK on a license plate. How many of you all would want that on a Nebraska plate? Don't raise your hands because there are a lot of people who would. They'd want to have emblems of the Confederate flag. There have been state departments of motor vehicles who objected. Some of those objections were challenged in court and the state's position was upheld that these types of messages are not appropriate for the license plate. It was not an issue of free speech, but the plate in reality belonged to the state and the state could determine what was on it and there were standards that had been set and they were not unreasonable. This so-called pro-life has made people crazy. The one who is now the Director of Veterans Affairs was as pro-life as I thought anybody could be. But he did not come all the way down. He did not cross every T and dot every I in exactly the way the pro-life clique wanted, so they came out actively and opposed him and I watched the tears stream down his cheeks. He and I had our set-tos on the floor and I said, do you see what these people are, who you've been working with? You see what they're made of, how narrow-minded, how hateful, how vengeful they are? And I'm looking now at the political wing, those political interests who want this on the license plate. Senator Watermeier is their point person today. I have 25 or so amendments and I will take them up until cloture is voted. And if it looks like this plate is going to go, then it's going to have something to do with my attitude about this session of the Legislature because I read some things that your Governor said in Washington, D.C., in praise of Donald Trump and the things that are going to be done in this state. He's going to cut spending and he's going to give tax breaks. And you know where he's going to cut? The vulnerable, the helpless. He has not brought or supported one bill that would help the poor and his ilk have not done so either. The vulnerable--the people right now in this state who cannot obtain medical coverage, cannot provide it for themselves and their children and these people work. And where is your Governor? And you all support him and he bought some of you all. I want you to see

Floor Debate  
February 27, 2017

---

what the one who bought and paid for you really is. And I ought to get each one of you a copy of Stevie Wonder's record "Signed, Sealed, Delivered I'm Yours". Then you could send it to the Governor and say, Guv, this is me. I'm signed, sealed, delivered I'm yours. If I was a piece of prime beef, the stamp on it would be "Governor Pete Ricketts Certified." And you let him make you do things that destroy your humanity and your self-respect. [LB46]

SENATOR HUGHES: One minute. [LB46]

SENATOR CHAMBERS: Things you know better than to do. Things you would never do in private life. But getting in this little pee-wee office meant so much to you that everything could be sacrificed. So, we have a bill like this before us. Senator Krist has indeed been an exemplar of what a good legislator should be and he and I have disagreed on some issues so heatedly in the past and on occasion that people thought we might begin to take it out on each other's legislation, which we never did. But when people have a genuine respect, they don't have to act like they're at a tea party. I meant the kind where you crook the little finger, sip that fragrant brew known as tea in a delicate cup. Thank you, Mr. President. [LB46]

SENATOR HUGHES: Thank you, Senator Chambers. Senator Walz, you are recognized. [LB46]

SENATOR WALZ: Thank you, Mr. President. And first of all, I have to say I sure missed all you guys, Friday. But I want to say or shout out a congratulations to the Fremont High swim team. I was there watching my daughter and her teammates swim, so just wanted to shout out congratulations. I rise today in opposition to LB46. I wanted to rise today for the record so that my colleagues and constituents know why I am against this bill. We discussed LB45 earlier in the session and when we were debating that bill, I thought to myself, this is a great thing, and a special privilege to those who served and protected us. I support LB45 and will continue to do so because I think it does give special recognition that is deserved to those individuals who protected and served our country. But when I read this bill, I noticed that there are 46 different license plates already. I feel each new one makes the existing ones less significant. I consider myself pro-life, but I really think that as I look around, there's nobody here that's not pro-life. What does pro-life mean? I think most people consider themselves pro-life, depending upon the definition that you use. I think we all share an interest in the well-being of people. I rise today because I made it clear to the voters of my district that I do not believe abortion is the answer, and they are owed an explanation on the record on my view on this issue. I will not be supporting this bill because this does nothing to prevent or reduce the amount of abortions. If I thought that one life could be saved because of this bill, my stance would be different, but I feel this will open ourselves up to unnecessary political battles that we could instead use that time finding solutions that would help reduce the amount of unexpected pregnancies. I have researched what other states have done regarding Choose Life License Plates and from what I have found, each time

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

---

one was passed, there would have been a pursuing legal battle that would likely have cost the state thousands of dollars. Are these license plates that don't change access to abortion worth the dollars that it will cost the state in legal battles? Maybe we should spend the money teaching young men and women self-esteem, self-respect, responsibility instead. Are these license plates worth spending hours on the floor debate? There will be a filibuster on the General File. If it passes, it will be the same on Select File and Final Reading. Does this license plate open up new license plate discussions on political issues that you may or may not agree with? In two years it could be the Right to Choose plate, an LGBT Pride plate, or maybe I should have a I Support Public Schools plate. Where are we going to draw the line? I'm focused on supporting and educating young men and women in Nebraska and advocating for the unborn and this bill does nothing. We all want to do the state's business. Let's do something that's actually meaningful. I yield the rest of my time to Senator Chambers. [LB46]

SENATOR HUGHES: Thank you, Senator Walz. Senator Chambers, you're yielded 1:34. [LB46]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Walz. If we're going to argue about abortion, I'd rather the bill be an abortion bill. I did manage to obtain a license plate that says something about conserve mountain lions or something along that line. My concern for those animals overcame my aversion, which is strong... [LB46]

SENATOR HUGHES: One minute. [LB46]

SENATOR CHAMBERS: ...toward message plates. But mine does not even deal with the human being directly. It goes toward wildlife which is that which belongs to all of the citizens of this state. There is no political message on that plate. And it is one of the best-designed plates to ever adorn a car in Nebraska carrying a Nebraska plate. My amendments all are designed to raise an issue that is confronting society, and where most of them are concerned, I'll be able to show that those who might support this form of this plate would be against the kind of issues that I'm talking about. But that remains to be seen. I will take the time. I will carry it to cloture and whatever it makes people feel, it won't be as hostile as what I feel about this plate. Thank you, Mr. President. [LB46]

SENATOR HUGHES: Thank you, Senator Walz and Senator Chambers. Senator Morfeld, you're recognized. [LB46]

SENATOR MORFELD: Thank you, Mr. President. I just wanted to do respond to Senator Watermeier's comments on my amendment. Being as though that he stated that we should have a public hearing on my amendment, I would be very interested to attend the public hearing where people oppose stop child abuse, because I'd like to have a conversation with them and I know

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

---

Senator Curt Friesen is looking for some political diversity on his Transportation Committee. So, maybe I'll switch committees next year just to hear that testimony in that debate. I don't believe that this needs a public hearing. I think it's pretty straightforward, what we're trying to do here, and I'd urge you to adopt AM40. Thank you. [LB46]

SENATOR HUGHES: Thank you, Senator Morfeld. Senator Schumacher. [LB46]

SENATOR SCHUMACHER: Thank you, Mr. President and members of the body. I'm scratching my head. I think I've read through the whole bill. I'm not infallible on such subjects and maybe I've missed something, but I do not...on Friday, and do not again today, see anywhere in here where this has anything to do with abortion, with fetuses, with zygotes, with prenatal anything. I cannot find a mention of that in here. It says that the...on page 11, at line 3, it basically says the department shall create designs reflecting support for the protection of Nebraska's children, and that those things will be called Choose Life Plates. They could be called little kiddy plates. But whatever, that's just a label for what the department is supposed to do. Now, we don't give, in the green copy, much guidance as to what kind of topics the department should use, but we did pass an amendment moments ago that said what this focus is about. It's about child abuse and it's about assistance for needy families. Now, while we could do a better job of directing the department to design plates in support of getting rid of child abuse and promoting assistance for needy families, we might have done enough with that amendment. Will Senator Watermeier yield to a question? [LB46]

SENATOR HUGHES: Senator Watermeier, will you yield? [LB46]

SENATOR WATERMEIER: Yes, to Senator Schumacher. (Laughter) [LB46]

SENATOR SCHUMACHER: Thank you, Senator Watermeier. Senator Watermeier, anywhere in here, is there anything about abortion, about life before birth, anything at all? [LB46]

SENATOR WATERMEIER: I didn't think so unless you found something in it that I wasn't aware of. [LB46]

SENATOR SCHUMACHER: Okay. So this is...it's not our intent to get into that realm with this bill. Is that correct? [LB46]

SENATOR WATERMEIER: That's my...yes. [LB46]

Floor Debate  
February 27, 2017

---

SENATOR SCHUMACHER: Okay. So what do you envision then as the message, the design that the department would come up with? [LB46]

SENATOR WATERMEIER: Well, I had a plate that was of a suggested plate. I mean, I had that in the paper this weekend, it was shown to me. I don't want to bring an exhibit up on the floor. I don't think that's proper. But that was the idea that the DMV would be charged with creating the plate with I think past examples from other states that they could use as an example. But it would have to say "Choose Life" because that is one part of the statute we're putting on there. [LB46]

SENATOR SCHUMACHER: Where is it written in this statute that this plate has got to use the word "Choose Life"? [LB46]

SENATOR WATERMEIER: Well, I guess I should say that that was the intent of it and in watching other bills, we modeled this after the mountain lion bill and that was what we decided was probably the most current example of what we had passed, you know, in previous sessions. So we modeled it off the mountain lion bill. [LB46]

SENATOR SCHUMACHER: Well, I would think that if we're going to require these plates to say "Choose Life," we should say so because it doesn't say that right now. It says they will create designs reflecting support for the protection of Nebraska's children. And that's a pretty broad delegation of authority, probably unconstitutional, except for the fact of your amendment which says child abuse and needy families are what you're talking about. So are we limiting the department's discretion to addressing the issues of child abuse and needy families with this legislation? [LB46]

SENATOR WATERMEIER: Can I respond to that? [LB46]

SENATOR SCHUMACHER: Yes. [LB46]

SENATOR WATERMEIER: Coming back to page 11... [LB46]

SENATOR HUGHES: One minute. [LB46]

SENATOR WATERMEIER: ...page 11 on line 4, it says, "The department shall design license plates to be known as Choose Life License Plates." That's not in quotes, but I assume that's direction enough for that. [LB46]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

---

SENATOR SCHUMACHER: And what is that direction? Does the next line, the next sentence, "The department shall create designs reflecting support for the protection of Nebraska's children," does that define a Choose Life Plate? [LB46]

SENATOR WATERMEIER: I think the first sentence does to me, but if we need to amend that to say that more specifically with quotes, I mean, I'd be open to that suggestion. [LB46]

SENATOR SCHUMACHER: Well, that they're known as that, it doesn't say that state that they will...that the plates will state Choose Life. It doesn't say that. [LB46]

SENATOR WATERMEIER: I will acknowledge you, "Professor" Schumacher, that certainly that would be something you could choose to look at in that light. But I would look at it, it says the plate ought to say Choose Life, but with your comments, I can understand why you would think that. [LB46]

SENATOR SCHUMACHER: Thank you, Senator Watermeier. At the very minimum, if this thing isn't restricted now to needy families... [LB46]

SENATOR HUGHES: Time, Senators. [LB46]

SENATOR SCHUMACHER: Thank you. [LB46]

SENATOR HUGHES: Thank you, Senator Schumacher and Senator Watermeier. Senator Pansing Brooks, you're recognized. [LB46]

SENATOR PANSING BROOKS: Thank you, Mr. President. Well, here we are on these bills that are, of course, greatly controversial. I have an amendment. I think it's something like 30th or something, or...I have no idea. It's so far down that we will never get to it, but I want to ask Senator Watermeier a question. [LB46]

SENATOR HUGHES: Senator Watermeier, will you yield? [LB46]

SENATOR WATERMEIER: Yes. [LB46]

SENATOR PANSING BROOKS: Senator Watermeier, have you seen my amendment? [LB46]

SENATOR WATERMEIER: I have not. I'm sorry because you said we wouldn't get to it. [LB46]

Floor Debate  
February 27, 2017

---

SENATOR PANSING BROOKS: Funny. Well, it adds the words to have an End Rape Culture License Plate as well. And so, do you consider that a friendly amendment? [LB46]

SENATOR WATERMEIER: No, I don't in the fact that it hasn't had a public hearing in that regard. If you have a decision about stop rape culture, that ought to have a hearing on its own and so anything like that would be an amendment on the bill that... [LB46]

SENATOR PANSING BROOKS: Thank you. Thank you so much. So again, my friends, what we have here is, as Senator Krist has said, as Senator Chambers has said, as Senator Walz beautifully said, we have speech that we are promoting as a state and this is an attempt...and as Senator Morfeld has said, this is an attempt to have state-sanctioned speech because that's what we're doing. If the government creates license plates, we all agree that the veterans should be celebrated and I don't think that's a problem for the state to do that. We agreed last year that Breast Cancer Awareness is important and that people need to have mammograms and be tested. So that was determined to be okay. But again, it's speech. So if we start down...I don't even think it's a slippery slope, if we start the nosedive to supporting all sorts of speech that is considered controversial, I think it's wrong. In actuality, I'm really not against the Choose Life Plate, that message, because I'm a pro-choice woman. So I'm in favor of people who decide to Choose Life. That's the choice. Exactly, you got it. That's awesome. Choose Life or choose to handle your life according to what you need to do and keep the government out of the business of legislating about a woman's body. So yeah, go ahead, Choose Life. I have no problem with that. But then in the same instance, allow pro-choice. Allow people to say "End Rape Culture." We can go down the whole slope, the slippery slope. And by the way, with 250 signatures, those who want to bring this plate can apply to get the plate. So go for it. Why does this need to be state-sanctioned speech? Why? I'm not bringing a pro-LGBT license plate and saying you all have to support it and stand on it, although I guess I will next year. I guess it's a good idea. We're going to go down the slope of just...I mean, think of the number of license plates we can bring. Bring it on. We will have so much speech on those license plates that's state-sanctioned. We can think of a lot of different things. [LB46]

SENATOR HUGHES: One minute. [LB46]

SENATOR PANSING BROOKS: Obviously, there are a lot of things thought of here. My amendment does not cancel the Choose Life Plate, even though I'm basically against it, but adds a friendly amendment to End Rape Culture. Every 98 seconds an American is sexually assaulted. Every eight minutes, that victim is a child. Only six out of every 1,000 perpetrators will end up in prison. One out of every six American women have been the victim of an attempted or completed rape. What could be more important than having state-sanctioned speech that says

Floor Debate  
February 27, 2017

---

End Rape Culture? I don't understand how anybody can be against it. I guess I'll start asking people on my next time on the mike. Thank you, Mr. President. [LB46]

SENATOR HUGHES: Thank you, Senator Pansing Brooks and Senator Watermeier. Senator Krist, you are recognized. [LB46]

SENATOR KRIST: Thank you, Mr. President. And I guess I fibbed. I said that was the last time I was going to talk on this issue, but I've gotten a couple of e-mails since I've spoke on the mike and one of them challenging me, which they have, the group of pro-life lobby has done in the past. How can I be pro-life and not support a license plate? Well, I can be against the death penalty and not support a antideath penalty license plate. I could be against wearing short-sleeve sweatshirts in the Chamber and not support a license plate that would dictate speech or thought. When I asked for and did not seek, but when I asked the folks who give out the pro-life endorsement in 2008 why I was not on that list, it was very clear that I had not put forth a piece of legislation that I had done...sorry, it must have been 2012...that I had done a piece...I introduced a piece of legislation early on that would have said that certain verbiage was supposed to be posted in any place, Planned Parenthood establishment, or any place else. What I found out very quickly was that it was...what I was asking for, although it would have suited my conviction or needs, it was unconstitutional. And when another senator brought that same piece of legislation, again, I didn't vote it out of Judiciary, and when another senator proposed it again, I did not vote it out of Judiciary, so you see, it's not just about putting a label on your forehead and saying, this is the way I am. And it's not about seeking an endorsement or doing the things that an organization would want you to do, it's weighing, measuring, and finding out if what you're doing is correct constitutionally, or if it's supporting a cause without really supporting a cause. I'll leave you now with just my last word, I promise, on this issue. I am concerned that these license plates are so easy to make and that the intent of those license plates can be derived or twisted into funding all of those hot button issues that we all want to fund, that there will be no end to these personalized license plates. And reminding you again, as Senator Pansing Brooks has said, it only takes a number of signatures and someone can create this license plate without a piece of legislation. And I'll yield the balance of my time to Senator Chambers. [LB46]

SENATOR HUGHES: Senator Chambers, you're yielded 1:50. [LB46]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Krist. Members of the Legislature, although the subject that brought us to this discussion I think is unworthy, that is making the license plate billboards, the discussion I think is very wholesome. And it gives us an opportunity to focus on some of those basic and fundamental principles, ideas, and activities that a Legislature ought to be concerned with. If we really got down into this as will happen before

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

---

the session is over, there's going to be acrimony, contentiousness, hurt feelings, anger. It's going to spill over on to other things... [LB46]

SENATOR HUGHES: One minute. [LB46]

SENATOR CHAMBERS: ...and it's all being orchestrated from outside this Chamber. I've never seen Senator Watermeier as what I would call a rabid pro-lifer of the kind who would say if you don't cross every T and dot every I the way I say, then you're drummed out of the pro-life movement, but there are people like that. Julie Schmit-Albin was ecstatic when term limits put me out of the Legislature. She said he's going to be hard to replace. Now, who is it they hate? Planned Parenthood is going to have to spend money to get several lobbyists to do what he did for free. It will be like children in a candy store. That was the way my departure was discussed by these supposedly serious people who are concerned about doing something to restrict the number of abortions that occur. I've always said anybody has the right to say abortion... [LB46]

SENATOR HUGHES: Time, Senator. [LB46]

SENATOR CHAMBERS: Thank you, Mr. President. [LB46]

SENATOR HUGHES: Thank you, Senator Krist and Senator Chambers. Senator Chambers, you are recognized and this is your third time. [LB46]

SENATOR CHAMBERS: Thank you, Mr. President. And I assure everybody that I'm going to have plenty of additional time, so I will not offer reconsideration on anybody's amendment. I made sure that I stacked up enough of my own so that if I have to do this alone, I will do it. And those of you who might have your integrity questioned, have your loyalty to whatever it is you're supposed to be loyal to questioned, you don't have to worry about that. I'm not interested in putting anybody on a spot when we deal with a matter such as this. Those points may come. This is not one of them. When it comes to women, I acknowledge that I am extremely protective, maybe more so than should be the case since women are seeking their emancipation. And I assure every female that mine is not that looking down my nose saying I know better what's good for you than you know yourself. But I've pointed out, I have a host, or maybe I should make that plural, hosts of nieces. I've lost three sisters. So naturally my mother and grandmother were women. I've been around women all my life. Then when I try to lighten the mood a little bit without being obscene, I say, I love women so much, I was born in bed with one. Now, what we're dealing with today could give us a chance to talk about those things that might cause young girls to wind up being pregnant. I don't think it's an overactive libido. I think it's a matter of a lot of them trying to find acceptance and a feeling that they are somebody and nothing will get that done like being able to deal with an older man, and an older man sees these young girls

Floor Debate  
February 27, 2017

---

as ripe plums ready to be plucked. So these young girls fall into these problems. The society has no interest, no concern about providing worthwhile activities, appropriate education, and then they isolate, they banish them. In churches, some are made to stand up in front and confess their sins because they were not smart enough or knowledgeable enough to know how to prevent a pregnancy like some of those old female buzzards and vultures in the church looking down their nose at these young girls and wanting them up there humiliating themselves, knowing what they themselves have done. Other people in the church will know what they have done. I saw the other day where the Pope, it said, is quietly reducing the sanctions against those who committed sexual misconduct. In other words, the priests are now going to get a pass, and our children are the victims. So I don't care about all this talk of fetuses, zygotes, and embryos when there is no concern for the children who are here now. I couldn't watch a child in the wintertime with inadequate clothing, shoes with holes in them, which doesn't seem to bother very many people. And I'm not going to mention the kinds of things that I do because it will sound like boasting. But if I would mention it, it would show you how I translate what I say into action, and I don't have to be asked. But when we are talking about something such as this, where the license plate whose only original purpose was for identification of a vehicle... [LB46]

SENATOR HUGHES: One minute. [LB46]

SENATOR CHAMBERS: ...is now becoming a billboard for any and every notion that can afflict, infect, or beset a society. When you begin to put these kind of things on the plate, I'm going to say it again, it will become more and more like that so-called social media. I've actually had people write letters angry at me because I don't have what they call a Web site or e-mail address so they can get in touch with me. I don't want to be in touch with them. But if they want to be in touch with me, my phone number, unlike other senators, is in the phone book. My number down here is available. My address here, my address in Omaha, contrary to what that idiot in Omaha says, is known. And if you don't know, you can get it in the phone book. This, that we're being asked to do today, should be... [LB46]

SENATOR HUGHES: Time, Senator. [LB46]

SENATOR CHAMBERS: ...where we stop. Thank you, Mr. President. [LB46]

SENATOR HUGHES: Thank you, Senator Chambers. Senator Hilgers, you're recognized. [LB46]

SENATOR HILGERS: Thank you, Mr. President. Good morning, colleagues. I rise this morning in support of LB46 and against AM40, and I wish to discuss a couple of the constitutional principles that I think apply to this debate because this is a free speech issue. And I think it's

Floor Debate  
February 27, 2017

---

important to discuss some of the recent Supreme Court cases that have dealt precisely with the questions of what speech can and cannot be on license plates. I think it's good and instructive to take maybe a step back and talk about some first principles. And the constitution, the First Amendment says that Congress, when it's been applied to the states, can make no law that infringes freedom of speech. Now, the Supreme Court has interpreted this, and I'm going to speak in broad strokes, there's some nuance here that I won't go into, but in broad strokes the Supreme Court has said, we're going to differentiate between what we call private speech and what we call speech by the government. Private speech might be what I would do, maybe have on my T-shirt as a private citizen out...out and about, and the government speech is what the government might say that is state sponsored. Now, a third type of speech that I think is relevant here is private speech that's within a public forum. And so when you think of a public forum, you might think of the Rotunda. So the government can't restrict and say we're going to allow only Christian displays during Christmastime, we're going to open that up to anyone of any...of any...who wants any particular speech, they can have a right to access that forum. Now, while there is restrictions on private speech, the Supreme Court for government speech has said really there aren't the same types of restrictions on the government to speak. And I'm quoting from the Walker decision, which is a 2015 decision, 135 Supreme Court Reporter, 2239, for the record, and this is Justice Breyer who says: when government speaks, it is not barred by the free speech clause from determining the content of what it says. That freedom in part reflects the fact that it is the Democratic electoral process that first and foremost provides a check on government speech. So first principles, private speech, government can't restrict that, as a general matter. Government speech, government can say a lot of things that it wants to say, and the check on that is through the Democratic process. Now, how does this apply to license plates? Well, in the last three years there's been two Supreme Court decisions that have come out, one, which is the Walker case, that I just referenced, and the other one is an ACLU decision shortly after the Walker decision. The Walker decision dealt with precisely this question. And in a five Justice majority, led by Justice Breyer, the Supreme Court found that these types of license plates are not private speech; they're government speech, and they're also not in a public forum. So what that meant is, is that the government can allow through the Legislatures, through some other appropriate body, can allow certain types of speech without a discriminate against other types of speech. Okay. That case did not deal with a pro-life license plate, but shortly afterwards there was a Fourth Circuit Opinion dealing with a pro-life license plate, and in that opinion and this decision pre...was before the Walker decision that I referenced, and that opinion the Fourth Circuit said, hey, you know what, you can't have a pro-life license plate unless you allow a countervailing viewpoint. Well, that decision was appealed and shortly after the Walker decision, the Supreme Court reversed that in citing the Walker decision. Again for the record purposes, I'm going to get the cite into the record and that's Berger v. ACLU of North Carolina, 135 Supreme Court Reporter 2886. So what does the Supreme Court say? The Supreme Court has said that as a legislative body, us deciding this issue today, we can choose certain types of speech we want to allow on license plates. The check on that is the Democratic process. So to Senator Pansing

Floor Debate  
February 27, 2017

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Brooks discussion or Senator Morfeld's discussion, they or others are absolutely free to bring other license plates, go through the hearing process, we can have debate on them. If they don't pass, people can mobilize through grassroots effort and elect candidates and legislative officials who will pass those types of license plates. [LB46]

SPEAKER SCHEER PRESIDING

SPEAKER SCHEER: One minute. [LB46]

SENATOR HILGERS: Now that's the process under which we live. And I will tell you some of the arguments by Senator Chambers and by some others about whether or not this is a public or private, whether it's government speech or private speech, frankly, I think have a lot of merit. And I probably, had I been sitting on the Supreme Court, and I'm not and I wasn't, but had I been on the Supreme Court deciding that case, I probably would have been in the minority with the Chief Justices, Justice Scalia and Justice Kennedy and Justice Alito, because I do think that there is a governmental speech aspect here that maybe we shouldn't discriminate against viewpoints. But that, what I want from a constitutional framework is not what we have. What we have and as what we're deciding today, is under a framework that allows us to make exactly these types of policy judgments and if people want different policy judgments, then they can elect representatives to push and get those policy judgments enacted into law. So I urge your red light on AM40 and your green light on LB46. Thank you, Mr. President. [LB46]

SPEAKER SCHEER: Thank you, Senator Hilgers. Senator Pansing Brooks, you're recognized. [LB46]

SENATOR PANSING BROOKS: Thank you. Well, I appreciate Senator Hilgers' explanation of the Walker case and I will look at that and read. I do know that it had to do with putting Confederate flag on a license plate. So, again, he's correct. We can do whatever we want in many instances and have as incendiary of speech as we want on our license plates. But I remind you that in the '90s it was 25 Republicans, 25 Democrats, so be careful what you wish and how we go forward. Clearly, we have given the opportunity for groups to be able to apply, pay their \$250...or pay their money, I'm sorry, it's 250 signatures, and get whatever license plate they think is important. But for us to go down the slope of having controversial speech just because we have the power to do so, is not wise in my estimation. And again, it's very easy for those in the majority to say, oh, no problem, bring it to the committee and, you know, maybe you can get your bill in too. I would ask you deep down in your heart, do we want to have speech like that? Last year and the year before, I mean, so we should go ahead and do the antideath penalty bill, or the pro-death penalty bill. What's correct speech? Just the majority of the elected officials? Is that what is what...that's what we were going to...that's what we're going to put on our license

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

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plate is just the majority of who's ever elected and if you don't like it, then reelect somebody else. That isn't a good way to make public policy, in my estimation, colleagues. And I will give the rest of my time to Senator Chambers. Thank you, Mr. President. [LB46]

SPEAKER SCHEER: Senator Chambers, 2:50. [LB46]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Pansing Brooks. And I want to thank Senator Hilgers. As I've said on other occasions, when he and I disagreed, he is presenting arguments in a lawyer-like fashion and it's showing that people can be on opposite sides of a question, a serious question, and still there can be civil informative discussion. However, when you're in a state like Nebraska where the "Repelicans" run everything, there's no need in pretending that there's equivalency, where those who disagree with "Repelicans" have the same access and the wherewithal to utilize the instrumentality of the Legislature to get things done. The "Repelican" Party and the Governor know they control people on this floor. It would be the height of naivete or disingenuousness to say that issues are put before us and we weigh on the right hand, one side, and the left hand, the other side, and whichever has the most weight, has more weight is the way the Legislature will go. That's not true at all. I know in some issues, I will never get a majority of the votes. Let me back that up. I never thought the death penalty would be voted out by the Legislature, but it was. Under ordinary circumstances, the issues that I espouse are not going to have a majority of people voting for them even if a majority might agree with them because they would fear political consequences... [LB46]

SPEAKER SCHEER: One minute. [LB46]

SENATOR CHAMBERS: ...the worst of which is to say you voted with Senator Chambers and they'll forget the other 40 who may also have voted the way I voted. But has it ever occurred to them that I might be voting with those people? Those are the political realities. This that we're doing today is something that I want to look at realistically, and I haven't raised the constitutional argument as such, but pointed out what Senator Hilgers touched on that there have been states, their Departments of Motor Vehicles prohibited certain types of things from being on the license plate, and the court upheld the right to do that. As far as Senator Schumacher's argument, if this bill passed, the Governor will make sure that the department put the words Choose Life on the license plate. We know that's what would happen. Senator Watermeier has made it clear that's his intention. So I've got to be prepared to make it as difficult and painful as possible for you to do... [LB46]

SPEAKER SCHEER: Time, Senator. [LB46]

SENATOR CHAMBERS: ...this unwise thing. Thank you, Mr. President. [LB46]

Floor Debate  
February 27, 2017

---

SPEAKER SCHEER: Thank you, Senator Chambers and Senator Pansing Brooks. Senator Kolowski, you're recognized. [LB46]

SENATOR KOLOWSKI: Thank you, Mr. Chairman. I yield the remainder of my time to Senator Chambers, please. [LB46]

SPEAKER SCHEER: Senator Chambers, 4:45. [LB46]

SENATOR CHAMBERS: Thank you, Mr. President, and thank you, Senator Kolowski. I would be willing to sacrifice the mountain lion plate if we passed a bill to eliminate all message plates. I was drawn into that. And if that was going to be an instrumentality used in so many ways as it has been already, I was going to use what I could to benefit these majestic, these iconic, these regal animals whom some people want to kill for the love of killing. The enjoyment of having a creature helpless, terrified, in a tree seeking refuge, shot dead. Then they celebrate it and cheer. That's not choosing life to me. I think life, other than the two-footed kind, should be preserved. I'm trying to come to the aid of various four-footed creatures. Among my constituency, you'll find many two-footed creatures. And if you go back far enough, you'll find I have at least one constituent with neither legs nor feet, and it's known as a snake. Some fool in Lincoln had purchased a python and was sleeping with it and the python bit him, and he wanted it destroyed. I read about it in the paper. So I went to that person, found out who he was and where he lived from the reporter who first contacted him and made sure it was all right. And I gave him whatever the amount of money was to get a bill of sale for that animal. And he gave me the bill of sale. I took it to the Humane Society. I said this is my animal, and I don't want you to kill it. And the people at the Humane Society thanked me, because they didn't know how, and they didn't want to do it. So I took the python and gave it to the zoo in Lincoln and they found a home for it. We should respect all life, great and small, but that's not going to be the case. Some of these creatures that are plentiful now are going to wind up, I believe, being ushered into extinction by people who kill for the sheer love of killing, who will destroy their habitat so that hotels, motels, houses for the wealthy can be constructed, and the animals who were there first will be destroyed and viewed as the enemy. When I was little, I went to church, I read the "Bible", and when in Genesis, God gave Adam dominion over all of the creation, that was like saying you're a steward. You're to watch out for what I'm putting under your control and guidance and care. And I want you to care for it the way I would care for it. And you see what Adam did, first of all, to Eve. Then you see what Adam has done to all the other creatures. So there must always be at least one voice saying, all of you can be on that side of the question, but there is another side of the question. And this time, the side where there's only one voice... [LB46]

SPEAKER SCHEER: One minute. [LB46]

Floor Debate  
February 27, 2017

---

SENATOR CHAMBERS: ...happens to be the correct side. And there will be other times when I'm going to be like the seashore and you all will be pushed by interest outside this Legislature to roar and thunder, and like the seashore, I'll say, this far shall you come, and no farther. And by taking time, some of those head-long mistakes I'll be able to stop, others I can slow down. But I'm going to do all I can when I think the integrity of the Legislature and the legislative process are being compromised to prevent that from happening. Thank you, Mr. President. [LB46]

SPEAKER SCHEER: Thank you, Senator Chambers and Senator Kolowski. Senator Schumacher, you're recognized. [LB46]

SENATOR SCHUMACHER: Thank you, Mr. President, members of the body. I want to make it clear that as I read the authorization in this statute, it does not authorize the wording "Choose Life" on a plate or any other language that would encourage a woman to carry a pregnancy to term. If that is what we intend, we should say so. The idea that this is patterned after some other laws, not quite accurate. For example, the mountain lion bill, that says the department shall design license plates to be known as Mountain Lion Conservation Plates. And rather specifically, the department shall design something reflecting support for the Conservation of Mountain Lion population. That's pretty limited. You pretty much know what you got to put on that plate if you are in the Department of Motor Vehicles designing these plates. The Cornhusker Spirit Plates, the department shall include on them a Cornhusker or Husker design. It shall have the colors of the team, and we get very specific. We tell the department what we mean. These plates, the only thing we're telling the department is that it shall somehow reflect support for Nebraska's children and then we hint at it in the amendment that this has something to do with needy families or child abuse. My concern is that we should have an issue defined for us. If we are voting for a plate that is designed to encourage a woman to carry a pregnancy to term, let's say so. Not have one Governor, one year happen to be...believe in discouraging an abortion, and another one believe something else in a subsequent year, and have that flip-flop discretion. If we are speaking and that intent is to carry pregnancies to term, then let's say so. What are we ashamed of? Why do we have to couch it in, well, support for children, and open up all those doors of what do we mean by children and whether or not that includes something in the first 12 weeks of pregnancy. Why open those doors? Why are we being...or trying to be clever? Let's vote on what we vote on and say what we mean or don't mean. License plates are something, believe it or not, that are looked at in other states, and we have very low population in our license plates not make it very far. And sometimes they carry a connotation, which might have economic development or tourism connotations. I had a daughter who followed her mother to the University of Florida, and remember those red plates we had probably back around the year 2000...in that time period? It was supposed to...and we all thought it meant the Nebraska sunset, and it was red and glowing. And the way those plates were viewed at the University of Florida, one kid comes up to my daughter and said, you know, you're so lucky. You have one of those license plates from Hell.

Floor Debate  
February 27, 2017

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And when she looked at it through that perspective, you kind of could see what this person saw. So people look at them. They're advertising... [LB46]

SPEAKER SCHEER: One minute. [LB46]

SENATOR SCHUMACHER: ...billboards for the state. And I think the best thing I've heard today is what Senator Chambers said, we started down a path with these things. I think Senator Krist detected the path we started down and we're probably going down the wrong path diluting some of our advertising capacity by having these message plates. They may make us feel good, they may be seen by us as being a specific message, but that does not necessarily mean they're consistent with a good economic development program for the state when we try to advertise in other states. Thank you. [LB46]

SPEAKER SCHEER: Thank you, Senator Schumacher. Senator Pansing Brooks, you're recognized. [LB46]

SENATOR PANSING BROOKS: Thank you, Mr. President. I'm going back to talking about this and why I think it's a good idea to add the amendment to End Rape Culture. I have...and again, I'm against all this. I don't think we need to go down the path of having government-sponsored speech on our cars, in our licenses. The Walker case supposedly that Senator Hilgers has said...I haven't read it yet so I'm still working on that, but anyway, supposedly says that we can put whatever we want, and I think it's policy we can. But is that a good idea? So again, I'm back to why I think it's important to add "End Rape Culture" to that discussion. As long as we're going to start adding all sorts of speech, certainly people can't be against adding the words or a license plate that says "End Rape Culture." So again, from 2009 to 2013 Child Protective Services found evidence to indicate that 63,000 children a year were victims of sexual abuse. The majority of the child victims are between the ages of 12 to 17. Thirty-four percent of victims of sexual assault and rape are under the age of 12. Sixty-six percent of the sexual assault and rape victims are ages 12 to 17. The age breakdown of victims is 15 percent between the ages of 12-17; 54 percent between the ages of 18-34; 28 percent between the ages of 35-64, and 3 percent above 65 years of age. Eighty-two percent of juvenile victims are female; 90 percent of adult rape victims are female. You can tell why I really care about this. Females ages 16 to 19 are four times more likely than the general population to be victims of rape, attempted rape, or sexual assault. Females ages 18-24 who are college students are three times more likely than women in the general population to experience sexual violence. Only 20 percent of female victims in this age range report to law enforcement, while only 32 percent of nonstudent females in this age range report to law enforcement. Males--yes, males are also raped--males ages 18-24 who are in college are five times more likely than nonstudent males of the same age to be victims of rape or sexual assault. One out of every 10 rape victims are male. Long-term effects of sexual assault, 94

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

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percent of women who have...who are raped experience post-traumatic syndrome disorder during two weeks following the rape. Thirty percent of women with PTSD symptoms have them continue up to nine months after the rape. I presume it's lifetime. Thirty-three percent of women who are raped commit suicide. Thirteen percent of women who are raped attempt suicide, 33 percent. If there isn't something more important than putting state speech that says End Rape Culture, I can't think what it is. People who have been sexually assaulted are more likely than the general public to use drugs. They're 3.4 times... [LB46]

SPEAKER SCHEER: One minute. [LB46]

SENATOR PANSING BROOKS: ... more likely to use marijuana, they're six times more likely to use cocaine, and they're ten times more likely to use other major drugs. Again, you know, I know that so many of you who aren't here today, of course, you're all off elsewhere, many people in the Chamber that care about this are gone. I know that you're being forced by certain groups to vote a certain way so that you can get your high percentage and that's just great. Meanwhile we have actual issues to deal with. We have actual issues about women getting raped, about children needing to be fed, about people living in poverty. But let's take all the time on these controversial plates... [LB46]

SPEAKER SCHEER: Time, Senator. [LB46]

SENATOR PANSING BROOKS: ...and we can continue to bring them. Thank you, Mr. President. [LB46]

SPEAKER SCHEER: Thank you, Senator Pansing Brooks. Senator Briese, you're recognized. [LB46]

SENATOR BRIESE: Thank you, Mr. President, and good morning, colleagues. I rise today in opposition to this amendment, LB46. As a member of the Transportation Committee, I had the privilege of hearing the testimony of many Nebraskans on this bill--Nebraskans both passionately for this proposal, Nebraskans both passionately opposed to this proposal. Along with all of my colleagues on the committee, I chose to advance this bill out of committee, and given the opportunity, I'll vote to advance it to Select File. Why did I vote to advance it then and why do I continue to support it? For several reasons. First of all, because I believe that Nebraskans support this bill and the opportunity it provides to display Choose Life Plates just like drivers in 29 other states. Second, I agree with Senator Hilgers that there should be no constitutional objections to this bill. Third, contrary to what some have suggested, but as I believe Senator Schumacher has suggested, the words "Choose Life" are innocuous words, not intended to vilify, shame, or attack fellow Nebraskans. If I believed otherwise, I wouldn't be

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

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standing here. This bill simply provides Nebraskans another opportunity to show their support for life. I would ask you to oppose the amendment to the bill and support LB46. Thank you. [LB46]

SPEAKER SCHEER: Thank you, Senator Briese. Seeing no others wishing to speak, Senator Morfeld, you're welcome to close on AM40. [LB46]

SENATOR MORFELD: Thank you, Mr. Speaker. Again, I won't belabor some of the arguments that have already been made. I think that when it comes to license plates and the states creating certain things, that the information on there should be neutral or widely considered as uncontroversial, such as military plates, Nebraska 150th birthday. Those types of things to me are noncontroversial and it's fine having the state create license plates that carry those messages, because again, they're fairly broadly held and widely received by 99 percent of the population. The concern that I have with LB46 is that we are not providing an avenue for people and other individuals to have the opposing view when we do decide as a state to put controversial messages on license plates, something created by the state. And it may be constitutional. I trust Senator Hilgers has done his homework there, but quite frankly I don't care if it's constitutional or not. I don't think that that's the path that we should be going down as a state in terms of creating license plates with controversial messages that don't allow the other side to have their message on that same type of forum. And so, that being said, I would urge you to adopt AM40. It is a substantive amendment. I think that we can all get behind stopping child abuse, which is where this funding was originally going to go. And if not, then you can certainly vote against it. That being said, I urge you to adopt AM40 and thank you, Mr. President. [LB46]

SPEAKER SCHEER: Thank you, Senator Morfeld. The question before us is the adoption of AM40 to LB46. All those in favor vote aye; all those opposed vote nay. Yes, Senator Morfeld. [LB46]

SENATOR MORFELD: Call of the house, please. [LB46]

SPEAKER SCHEER: There has been a request for a...to place the house under call. The question is shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk. [LB46]

ASSISTANT CLERK: 26 ayes, 2 nays to go under call, Mr. President. [LB46]

SPEAKER SCHEER: The house is under call. Senators, please record your presence. The unexcused senators outside the Chamber please return to the Chamber and record your presence.

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

---

All unauthorized personnel please leave the floor. The house is under call. Senators Stinner, Williams, Kuehn, Geist, Blood, Krist, Erdman, Linehan and Groene, please record your presence. Senator Stinner, Senator Krist, please return to the Chamber. The house is under call. Senator Stinner, the house is under call, please return to the Chamber. Senator Morfeld, did you want to proceed with...okay. Are you wanting a machine vote? Okay. We will go to a roll call. Mr. Clerk. [LB46]

ASSISTANT CLERK: (Roll call vote taken, Legislative Journal pages 553-554.) The vote is 5 ayes, 31 nays on the adoption of the amendment, Mr. President. [LB46]

SPEAKER SCHEER: The amendment fails. Mr. Clerk, for announcements. I raise the call. [LB46]

ASSISTANT CLERK: Thank you, Mr. President. Your Committee on Education reports on two appointments to Postsecondary Education and the Committee for a Statewide Assessment. New A bill: (Read LB447A by title for the first time.) Your Committee on Education reports LB124 and LB377 to General File, as well as LB427 to General File, and LB645 to General File with amendments. We have received a memorandum in response to the Order to Show Cause relative to the matter of the Special Committee on Election Qualifications of Senator Chambers. That's all I have at this time. (Legislative Journal pages 554-555.) [LB447A LB124 LB377 LB427 LB645]

SPEAKER SCHEER: Next item, Mr. Clerk.

ASSISTANT CLERK: Mr. President, the next amendment that I have is from Senator Chambers, FA2. (Legislative Journal page 358.) [LB46]

SPEAKER SCHEER: Senator Chambers, you're welcome to open. [LB46]

SENATOR CHAMBERS: Thank you, Mr. President. Members of the Legislature, at last, the session, this segment of it, has been delivered into my hands. But before I launch into a discussion of my amendments, I'm going to read something from a case which I believe most of the people who hate it have never read: Roe vs. Wade. Judge Blackmun wrote the opinion. This is to put in the context what kind of issue we're dealing with that all of those people want to put on the license plate. And if I make very negative, harsh criticisms, they don't like that, but they're inviting that. So let me read these words. "We forthwith acknowledge our awareness of the sensitive and emotional nature of the abortion controversy, of the vigorous opposing views, even among physicians, and of the deep and seemingly absolute convictions that the subject inspires.

Floor Debate  
February 27, 2017

---

One's philosophy, one's experiences, one's exposure to the raw edges of human existence, one's religious training, one's attitudes toward life and family and their values, and the moral standards one establishes and seeks to observe, are all likely to influence and to color one's thinking and conclusions about abortion. In addition, population growth, pollution, poverty, and racial overtones tend to complicate and not to simplify the problem. Our task, of course, is to resolve the issue by constitutional measurement, free of emotion and of predilection. We seek earnestly to do this,..." I don't know how many of you have your name, even though it's misspelled, in a Supreme Court decision. "We seek earnestly to do this, and, because we do, we have inquired into, and in this opinion place some emphasis upon, medical and medical-legal history and what that history reveals about man's attitudes..." Notice in an issue that deals with women, man's attitudes. And it's not derogating women. And it's one of those Freudian slips where this is a man's issue, not a women's issue. This is a man's issue. And I bet Senator McDonnell will be able to mention one thing that I taught him, if nothing else. Freud was not making much money as a psychiatrist because they thought he was looney. So he went into the lingerie business. And he said we sell Freudian girdles, we sell Freudian brassieres, and our most popular item are Freudian slips. That's where that came from. Now, let me continue. "We bear in mind, too, Mr. Justice Holmes' admonition in his now-vindicated dissent in" the case that's mentioned. "[The Constitution] is made for people of fundamentally differing views, and the accident of our finding certain opinions natural and familiar or novel and even shocking ought not to conclude our judgment upon the question whether statutes embodying them conflict with the Constitution of the United States." And that court went on--it was a 7 to 2 vote--to find a right to privacy, a right of personal privacy for women when it came to the decision as to whether or not she would carry a pregnancy to term. In trying to compartmentalize and create a formula, the court said, more or less, that in the first trimester there can be no state interference whatsoever. The woman and her doctor will make that decision. And if the decision is made to terminate the pregnancy, the state cannot interfere with that decision. The state can, however, determine what competency the person performing the procedure will have and things like that. But the decision cannot be infringed upon. Between the first trimester and viability--and viability in those long-ago days was described as a time when the fetus could have an independent existence outside the woman's womb--during that period, there could be a state concern about the health and welfare of the woman. And that's when certain state requirements could be placed on how the procedure is carried out, where it is carried out, and things such as that. When viability was reached, the state could ban abortions except in the case where a woman's health or life was at stake. Judge Blackmun then went back into history and talked about how abortions were viewed, and they were always allowed. Some societies said it was a bad thing and you'd be punished. Others thought it was nobody's business. What difference does it make? It's up to the woman. And in those societies where abortion was restricted or banned, it had nothing to do with the welfare of the woman, it had to do with the rights of the man, of the putative father. Again, the woman was merely a vessel. The woman is the fire extinguisher. The woman is to be used in any way that a man chooses, and she has no say-so in it. And in some societies, they can kill a woman if she

Floor Debate  
February 27, 2017

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gets out of line. They call them honor killings; it's everything but that. These are code words which Senator Schumacher knows the term "Choose Life" is. These are two code words. Senator Riepe can say all he wants to about the passion on both sides and it ought to come out here. He's against abortion. He ought to just say so. I say, frankly, without apology, I am against anything that would infringe on a woman's right to make a decision about her own body. What could be more personal than that? And to hear some of these so-called pro-life people, and I say so-called to deal with those hard-faced, hypocritical ones who want to take a position but they don't show concern that should accord with that position if they really believed in it. Here's the way they want to project a woman getting abortion. Well, I was looking at Senator Linehan today and I liked the way she fixed her hair. So although I usually wore mine in the way of Senator Walz, I'm going to kind of fluff it up and then throw something around the lower edges like Senator Blood's and have it like that. I like that black sweater that Senator Walz has so I'm going to get a black sweater and I'm going to get a red skirt and I'm going to get me some black mesh stockings and some blue shoes. Oh, and I think I'm going to get an abortion. That's not the way women reach that decision. It's not that flippant. It's not that easy. And men are the ones you will find doing this. If a man had to carry a pregnancy to term, abortions would be available at McDonald's, at Burger King, at every drive-through facility. And that's when they'd say, I want two hamburgers with only mustard and onion, I want a large fry, I want a medium milk shake, and an abortion. That's the way a man would look at it if he had to go through it. A woman carries the fetus for nine months and the man, when the baby is born, doesn't want to carry the baby across the street. [LB46]

SENATOR LINDSTROM PRESIDING

SENATOR LINDSTROM: One minute. [LB46]

SENATOR CHAMBERS: And you're going to tell me these men care about these women? Did you say time? [LB46]

SENATOR LINDSTROM: One minute, Senator. [LB46]

SENATOR CHAMBERS: Oh, thank you. That's hogwash. And when a male-dominated church says it, I have even less respect for it. And when the head of that church for whom I have respect because of positions he's taken is now saying he's going to reduce the sanctions of those who were involved in sexual misconduct toward children, and they care about women and children? Baloney. Thank you, Mr. President. [LB46]

SENATOR LINDSTROM: Thank you, Senator Chambers. Senator McCollister, you are now recognized. [LB46]

Floor Debate  
February 27, 2017

---

SENATOR McCOLLISTER: Thank you, Mr. President. Good morning, colleagues. I was disappointed to hear that Senator Chambers was willing to sacrifice his cougar license plates because of this debate. I don't know if there's enough spaces on the license plate but I thought I would be "cougar 20." So I hope he doesn't do that. I think this Choose Life License Plate is blatantly political. It does have a political connotation. And I think it's unwise for Nebraska to enter into this debate. We're opening Pandora's box with this--Confederate license plates, pro-death penalty, anti-death penalty. I don't want to go there. I think we need to stay away from the political activity on license plates. I think it's improper for the Nebraska Legislature to offer...to authorize blatantly political message on license plates. As Senator Pansing Brooks indicated, government-sponsored speech should be prohibited. I relinquish the balance of my time to Senator Chambers. [LB46]

SENATOR LINDSTROM: Senator Chambers, you're yielded 3:54. [LB46]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator McCollister. Members of the Legislature, so that we can be kind of precise in our language, when we say that language shouldn't be on the plate, we're talking about what good judgment, what prudence would lead us to reject. There's some people who always want to, such as Senator Hilgers, touch on the constitutional allowances. But there are the states that have prohibited this kind of thing from being on their license plate and the U.S. Supreme Court said they can do that. I haven't raised the constitutional issue, I'm talking about what we as people of judgment, common sense, and who say we respect everybody ought to do. You all, Senator Hilgers, have the majority, just like you showed on the first day of the session. But you don't see me quitting. I'm up here when you all are not up here. You all don't have to be here because you got the majority votes. Call the house and all your people flock in here like whatever flocks and vote the way they're supposed to. I have to stay here for every debate, every issue, every amendment, and be vigilant. I have to be the sentinel. I have to be the gatekeeper. If I'm the gatekeeper and keeps out...and I keep out something you don't like, I'm wonderful. I'm Horatius at the Bridge. But if I keep out something you want, then I'm an obstructionist and all these other things. That's why I reject labels. I have my internal compass that dictates to me what it is I must do. So I'm prepared to fight all of these kinds of plates and similar things. Back to this idea of code words, everybody knows what Choose Life refers to. Everybody knows. You could talk to young people today and say final solution, that wouldn't mean anything to them. They might think it's some kind of cleaning substance. But say it to a Jew, any Jew. What does final solution have reference to? And now I've given you a hint. That sounds better than gas chambers, doesn't it; mass shootings, doesn't it? But that's what that program was called. And the final solution was to rid Europe of every Jew. And to show how foolish the ones were who liked that idea said that the ones who should survive as the master race are tall, blond, blue-eyed, white people. And you know who led them? A short, dark, moustachioed... [LB46]

Floor Debate  
February 27, 2017

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SENATOR LINDSTROM: One minute. [LB46]

SENATOR CHAMBERS: ...Austrian who might have had some Jewish ancestry. He is the opposite of what he told these lunkheads is the master race. They were so stupid. He was saying what they wanted to hear so they followed somebody who was the opposite. They followed him because he said what they wanted to hear. That's why a lot of you all follow Donald Trump. He uses code words--make America great again. You know what that means to me? Ku Klux Klan, crosses burned on the lawns, Jewish cemeteries desecrated, Muslim mosques set afire, black people's cars vandalized, that's what make America great means because he's a racist and he likes segregation. No, he would like slavery. And you all don't want to hear that. But I have recognized the echos and the re-echos just like Jewish people recognize certain things that other people don't. [LB46]

SENATOR LINDSTROM: Time, Senator. [LB46]

SENATOR CHAMBERS: Thank you, Mr. President. [LB46]

SENATOR LINDSTROM: Thank you, Senator Chambers. And you're next in the queue. [LB46]

SENATOR CHAMBERS: America great again. Some people say, well, isn't America great now? Or what period are you wanting to go back to? When you can say grab a woman by her privates and do that and it's all right? You can ridicule, mock, and imitate a disabled person and that's the new norm? That's when America is great? When you can ridicule the family whose son was not a Christian but who was the leader of a detachment of American soldiers and he ran up on a truck that turned out to be loaded with explosives and he was killed, and Trump ridiculed that man's family, talked about his mother. Well, you saw her standing there, she didn't say anything, she probably couldn't say anything, ha, ha, ha, ha, ha. I'm the one who talked on this floor about how wrong it was for him to order that strike in Yemen. It was not a wise military decision and some people condemned me for criticizing it on the floor. And now the father of the Navy Seal who was killed...and Trump went trotting down to Dover Air Force Base when his remains were coming back, put on a show. I had the most amazing visit with a great family, he's great. He didn't even know what happened. American helicopter gunships, machine-gunning women and children, which I mentioned on the floor, people thought I was making it up. Now there are Congresspersons on both sides of the aisle calling for an investigation. Why did those other Seals get injured? Why was that multimillion dollar aircraft destroyed? What was the purpose? And Trump was saying it was a great success. They got intelligence information. And you know what it turned out to be? Months and even years ago, this very material that he called newly discovered intelligence information had been published. It was on the Internet. And that's your so-called President. Suppose a black man tomorrow, when that racist is talking to a joint session

Floor Debate  
February 27, 2017

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of Congress, stood up and said--you lie. They'd throw him out of there and he'd be beaten to a pulp before he got outside that Chamber. But when that racist white guy hollered out to President Obama, you lie, white people played like it didn't happen. We see what you are. We see the pass you give to those who are like you. What President of any race--and we'd have to say white one--could lie like this man? Day after day after day, and you all swallow it. Then your Governor runs up there to a meeting with him and he's proud and you all are proud of him. Then you hold your head down and act like you don't know what I'm talking about when he makes another of his asinine statements and talk about all the media are putting fake news out there. Russia is good. Wasn't there that guy named Gekko who said greed is good? He knew because that's what drove Wall Street. And when you looked at that dollar and it said In God We Trust, the dollar was the god that they trusted. And they'd lay down... [LB46]

SENATOR LINDSTROM: One minute. [LB46]

SENATOR CHAMBERS: ...your life for their god--not their own life--lay down your life, send your young children to these foreign places to die for nothing, then try to prettify it by saying they died for your right to protest. They died for your right not to stand up when the national anthem, as they call it, is played, they didn't have that on their mind--survival. A lot of young men joined the military because they can't get a job out here and the government knows that. They know that there are over 2 million people with some ancient felony conviction on their record who will never be able to get a job, but they'd make good cannon fodder. So now they're loosening the requirements and they let them join the military. You think they're going over there to fight for America and the freedom that they were denied when they were here? They're trying to make a living and you won't let them make it here, so they have to risk their life... [LB46]

SENATOR LINDSTROM: Time, Senator. [LB46]

SENATOR CHAMBERS: ...for those who don't even see them as human beings. Thank you, Mr. President. [LB46]

SENATOR LINDSTROM: Thank you, Senator Chambers. Senator Pansing Brooks, you're now recognized. [LB46]

SENATOR PANSING BROOKS: Thank you, Mr. President. Let's see, I think we ought to have a little discussion with people on the Transportation and Telecommunications Committee. Let's see, who's here? Senator Briese, are you here, because you spoke earlier? Would you mind answering some questions? [LB46]

Floor Debate  
February 27, 2017

---

SENATOR LINDSTROM: Senator Briese, would you yield? [LB46]

SENATOR BRIESE: Yes, I'd be happy to. [LB46]

SENATOR PANSING BROOKS: Thank you, Senator Briese. I was just wondering what...if you've had some sort of discussion, policy discussion about what kind of speech you all will allow on license plates because I'm interested for the future? [LB46]

SENATOR BRIESE: No, I don't believe we had that discussion. I think everyone agrees that anyone is free to bring forth proposed legislation asking for any type of license plate. But as far as what folks on the Transportation Committee would be interested in having on there, no, that wasn't discussed. [LB46]

SENATOR PANSING BROOKS: Okay. So do you think it's a good idea to have a policy about what the state would generally believe is appropriate speech on a license plate? [LB46]

SENATOR BRIESE: Hadn't really thought about that. I don't know if it would be or not. [LB46]

SENATOR PANSING BROOKS: Okay. So of course anybody can bring the legislation, because the people are the second house. [LB46]

SENATOR BRIESE: You bet. [LB46]

SENATOR PANSING BROOKS: And so clearly anybody can bring a plate. It's just whether or not the eight of you will vote it out. Thank you, Senator Briese. What about you, Senator Geist? Are you willing to answer a question? Thank you. [LB46]

SENATOR LINDSTROM: Senator Geist, would you yield to a question? [LB46]

SENATOR GEIST: Yes, I will. [LB46]

SENATOR PANSING BROOKS: Thank you, Senator Geist. I'm wondering if you heard any kind of discussion about policy or anything as a member of the Transportation and Telecommunications Committee, any kind of policy on what would be appropriate for speech for license plates. How broadly should we go forward on this? Should it only be the conservatives who choose? [LB46]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

---

SENATOR GEIST: Oh, of course not. I do recall the conversation that we had in saying that it being a matter of freedom of speech and if someone on the opposing side wanted to bring forth a bill, we would certainly consider that with the same weight we would consider this one. [LB46]

SENATOR PANSING BROOKS: So why don't we just open up license plates to allow anybody to put whatever they want on it and the committee shouldn't even have jurisdiction over it? What about that? [LB46]

SENATOR GEIST: I didn't think of whether the committee should have jurisdiction over it since it was brought before us. [LB46]

SENATOR PANSING BROOKS: Thank you, Senator Geist. I appreciate you thinking about it. [LB46]

SENATOR GEIST: Okay. [LB46]

SENATOR PANSING BROOKS: Let's see. Who else do we have here? Senator Friesen, the committee Chair, is he available? [LB46]

SENATOR LINDSTROM: He's excused, Senator. [LB46]

SENATOR PANSING BROOKS: Oh, okay. Senator Friesen, okay. What about Senator Smith, the Vice Chair of the committee of this bill? Is Senator Smith available? [LB46]

SENATOR LINDSTROM: Senator, I do not see him on the floor currently. [LB46]

SENATOR PANSING BROOKS: Okay. Thank you. What about Senator Bostelman, also on the Transportation Committee? [LB46]

SENATOR LINDSTROM: Senator Bostelman, would you yield to a question? [LB46]

SENATOR BOSTELMAN: Yes, I would. [LB46]

SENATOR PANSING BROOKS: Thank you, Senator Bostelman. What I was wondering is do you...was there any policy discussion that you know of to...of how to go forward on this and what kind of speech to allow each year or not allow and how to go forward, or is it just according

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

---

to the makeup of the committee of what kind of speech the state should promote and allow?  
[LB46]

SENATOR BOSTELMAN: If I understand your question, there was no discussion as to what would be appropriate and not appropriate to be brought... [LB46]

SENATOR LINDSTROM: One minute. [LB46]

SENATOR BOSTELMAN: ...before the committee that the... [LB46]

SENATOR PANSING BROOKS: So the...okay, go ahead. Sorry. [LB46]

SENATOR BOSTELMAN: ...that the committee looked at the bill that was brought by the presenter and considered that bill on its own merits. [LB46]

SENATOR PANSING BROOKS: So...excuse me. [LB46]

SENATOR BOSTELMAN: So the committee would be open to any... [LB46]

SENATOR PANSING BROOKS: So you think it should just be every time something comes forward and then the eight senators get to choose whether or not that's going to go forward or not, even if you aren't necessarily representing every constituency in the state? So do you think...I think it would be good to have a policy, don't you? [LB46]

SENATOR BOSTELMAN: Well, I...I guess I'm trying to understand your question. I think the opportunity for senators to bring bills before any committee... [LB46]

SENATOR PANSING BROOKS: Thank you, Senator Bostelman. That's not where I'm going. Thank you very much. [LB46]

SENATOR BOSTELMAN: Okay. [LB46]

SENATOR PANSING BROOKS: Appreciate your willingness to speak. Senator Hilgers, as a member of the Transportation Committee, so do you... [LB46]

SENATOR LINDSTROM: Senator Hilgers, would you yield? [LB46]

Floor Debate  
February 27, 2017

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SENATOR HILGERS: Yes. [LB46]

SENATOR PANSING BROOKS: Thank you, Senator Hilgers. So are you... [LB46]

SENATOR LINDSTROM: Time, Senators. [LB46]

SENATOR PANSING BROOKS: Okay, thank you. [LB46]

SENATOR LINDSTROM: Thank you, Senators Pansing Brooks, Briese, Geist, and Bostleman. Senator Chambers, this is your third time and you are now recognized. [LB46]

SENATOR CHAMBERS: Thank you, Mr. President. I'm going to read my proposed amendments to give an idea of the things that I think are important. This one says, because it hasn't been mentioned, "strike 'Choose Life' and insert 'Knowledge Is Power'"; "strike 'Choose Life' and insert 'Rape Is No Laughing Matter'". That's for Donald Trump and his ilk. The next one: strike "Choose Life", "No One Is Above The Law". The next: strike "Choose Life", "End Child Abuse". The next one: strike "Choose Life", "Believe The Children"; strike "Choose Life", insert "Stamp Out Bullying"; strike "Choose Life", insert "End Domestic Violence"; strike "Choose Life", insert "Abolish Capital Punishment"; strike "Choose Life", insert "Believe In Yourself"; strike "Choose Life", insert "Treat Others As You Would Be Treated"; strike "Choose Life," "This Too Will Pass"; strike "Choose Life", "It Could Be Worse"; strike "Life" and insert "Freedom Of Choice". Then it would read "Choose Freedom Of Choice". Strike "Life" and insert "Liberty And Justice For All". It would then read "Choose Liberty And Justice For All". Strike "Life" and insert "Freedom, Justice, Equality"; choose those things. Strike "Life" and it would read "Choose Wisdom Over Riches". Strike "Life", it would read "Choose Quality Education For All Children". Strike "Life", it would read "A Sound Mind In A Sound Body". Strike "Life", it would read "Choose Peace". Strike "Life", it would read "Choose Honest Officials". Strike "Life", it would read "Choose Love And Happiness". After the word "Life" insert ": End Capital Punishment". It would read "Choose Life: End Capital Punishment". After "Life" you would insert ", Liberty And Brotherhood". It would read "Choose Life, Liberty and Brotherhood". After "Life" insert ": Abolish The Death Penalty". It would read "Choose Life: Abolish The Death Penalty". Those are all worthy expressions. But if somebody brought a plate proposal with any one of those, I would oppose it. That is not what license plates should be for. I know Senator Schumacher mentioned the value, if that's what he called it, the opportunity to advertise the state. But that is not what the license plate is for. We are dealing with abortion, and everybody knows it. We know that to the extent that it can be done, this Legislature and the other troglodyte legislatures want to make it as difficult as possible for a woman to make a decision to terminate a pregnancy... [LB46]

Floor Debate  
February 27, 2017

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SENATOR LINDSTROM: One minute. [LB46]

SENATOR CHAMBERS: ...and be able to do that under the law. When you have an assembly such as this, the majority rules, but that doesn't mean the majority is right. Somebody has to resist the majority and be willing to do it again and again and again. Now, you take a youngster like Senator Morfeld, he'll offer an amendment, which is good. But who on this floor will say I'm holding a principled position, and I will go to the mat for that principle? And I will do it alone if necessary. That is not what you find on the floor of this Legislature, other than myself, or any other legislature. Nobody expects it. [LB46]

SENATOR LINDSTROM: Time, Senator. [LB46]

SENATOR CHAMBERS: Thank you, Mr. President. Was that my third time? [LB46]

SENATOR LINDSTROM: That was your third time, Senator. [LB46]

SENATOR CHAMBERS: Thank you. [LB46]

SENATOR LINDSTROM: Seeing no one else in the queue, Senator Chambers, you are recognized to close on your amendment. [LB46]

SENATOR CHAMBERS: Thank you. And I have other amendments as I made you aware of, so I'll be able to take plenty of time. And I know Senator Watermeier will invoke cloture when the time comes. And in a sense, that will be a victory for me because it shows that I will not quit. I can be made to stop by cloture, but I will not quit. There will be another day, And after that, another day. And there will be other days on other issues. To refresh your memories, as much as I detest the vote by the Legislature to allow religious garb in the classroom, I still allowed a vote to be taken that morning. And I could have stopped it and could have had us on that bill the following day. But I had a different motivation in mind on that bill. When it comes up on Select File, I intend to go after it again. A bill like this has the potential to contaminate the well. Maybe it won't poison the well, which would mean the whole session is at stake, it will kind of seep into things along the way. I don't really care what use you all make of what I say and how I say it and how much time I take in determining how you're going to vote on a change in the rules when that comes up. You still won't be able to stop me. Like I told you, that white man told this black guy when the black guy told him, you can't read, you can't write, you can't even spell your own name. And when the white guy told him I can beat the flesh off your back, the black man said yeah I know you can, but after you do that, you still can't read, you still can't write, you still can't spell your name. Change the rule any way you want to. Gang up any way you want to and you still

Floor Debate  
February 27, 2017

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cannot stop me. And if you decide to try to stop me, I'm going to show you that I can stop this session of the Legislature before you can stop me because I'll have to stop the Legislature to prove you cannot stop me. So choose what you want. Now, I haven't decided whether this bill is one that will influence how I will vote or the conduct I will manifest on other bills. But I know one thing, I'm going to fight it to the Nth degree, which means it will go to cloture every time it comes before us. And I think when some people looked at that bill on the agenda, they knew that it's going to be my morning primarily. So they don't have to be here. Look around. Where are they? You didn't even have the Chairperson of the committee that sent this claptrap out here. You didn't have the Vice Chair. And the young man who's acquitted himself so well this morning, Senator Hilgers, was not even on the bill originally. You didn't know I do research, did ya? Read that response that I gave to that order to disclose. I shouldn't even have to do that. Lawyers know it had to do with...well, I don't have enough time to make it clear on this time around, but I'm going to discuss that a little bit to show you all... [LB46]

SENATOR LINDSTROM: One minute. [LB46]

SENATOR CHAMBERS: ...how seriously...well, let me say this. I can't take some things seriously, but the seriousness with which I will treat some things, even when they're not worthy of it. This item deals with abortion. It's an antiabortion slam. Contrary to what Senator Riepe said, this is designed as a slap in the face to show what they can do in their Legislature because they've got the votes. That doesn't mean that it's right, and the term "right" does mean something to me. And I don't need a lot of company like those who call themselves pro-life... [LB46]

SENATOR LINDSTROM: Time, Senator. [LB46]

SENATOR CHAMBERS: ...need a lot of company. Thank you, Mr. President. [LB46]

SENATOR LINDSTROM: The question is, shall the amendment to LB46 be adopted? All those in favor vote aye... [LB46]

SENATOR CHAMBERS: I'd like a call of the house. [LB46]

SENATOR LINDSTROM: There's been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk. [LB46]

ASSISTANT CLERK: 18 ayes, 3 nays to go under call, Mr. President. [LB46]

Floor Debate  
February 27, 2017

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SENATOR LINDSTROM: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber please return to the Chamber and record your presence. All unauthorized personnel please leave the floor. The house is under call. Senators Stinner, Morfeld, Wayne, and Riepe, please return to the Chamber. The house is under call. Senator Stinner, please return to the Chamber. The house is under call. All members are accounted for, Senator Chambers. How would you like to proceed? The question before the body is the adoption of FA2. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk. [LB46]

ASSISTANT CLERK: (Record vote read, Legislative Journal Page 555.) Vote is 6 ayes, 32 nays on the adoption of the floor amendment, Mr. President. [LB46]

SENATOR LINDSTROM: The amendment fails. Raise the call. [LB46]

ASSISTANT CLERK: Mr. President, the next amendment I have, Senator Chambers FA3. (Legislative Journal page 359.) [LB46]

SENATOR LINDSTROM: Senator Chambers, you're recognized to open on your amendment. [LB46]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, this amendment would strike "Choose Life" and insert "Rape Is No Laughing Matter." I'm going to read a little something from Roe vs. Wade. And it was...it will be clear what I'm reading, but there's something farther along in this that I want to get to. Judge Blackmun is talking about history. In this segment he's talking about the common law. "It is undisputed that, at common law, abortion performed before 'quickening'--the first recognizable movement of the fetus in utero, appearing usually from the 16th to the 18th week of pregnancy--was not an indictable offense. The absence of a common law crime for pre-quickening abortion appears to have developed from a confluence of earlier philosophical, theological, and civil and canon law concepts of when life begins. These disciplines variously approached the question in terms of the point at which the embryo or fetus became 'formed' or recognizably human, or in terms of when a 'person' came into being, that is, infused with a 'soul' or 'animated.' A loose consensus evolved in early English law that these events occurred at some point between conception and live birth. This was 'mediate animation.'" Now get this. All the ladies, I want you to see what the male-dominated Catholic church and the Catholic fathers variously known as angelic doctors, cherubic doctors, including Thomas Aquinas, thought. "Christian theology and canon law came to fix the point of animation at 40 days for a male and 80 days for a female,..." So let's say they didn't believe in abortion before you got a soul, animation. After 40 days, you couldn't abort a male fetus. You could abort a female one for 80 days. You weren't even animated. That's church...you

Floor Debate  
February 27, 2017

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all need to read what these churches and that other nonsense is found in their doctrines, their dogmas, and whatnot. Some things you all probably have come to believe were there forever were not. You know what the ascension is. You know what the virgin birth is. You know what transubstantiation is. How long ago do you think some of these things came into being? You don't even inquire because ones who told you what to think told you this is the way it is and this is the way it's going to be. Well, what this amendment that I'm offering is designed to stir your pure minds, rape is no laughing matter, and it's similar to what Senator Pansing Brooks had been discussing earlier. I look up there and I see Senator...what's his name? Speak no name, bear no blame...Senator Murante walking. Now suppose I had called a white female official a liar at a public hearing. I called her a liar. You know what the Lincoln Journal Star would say? Senator Chambers should know better, especially when it was shown that he was shown wrong, that the woman told the truth. The World-Herald would make their editorials...I've watched the way they editorialize on me. Senator Murante called a woman a liar. Said a statement she made was absolutely false. I mentioned it on the floor. The media didn't talk about it. If I called some woman official a liar, you think they wouldn't write about it? You think there wouldn't be editorials? I said I would touch on this order to show cause that was presented. There's some idiot who says I don't live where I live. And because the standards are so forgiving for filing a challenge to a person's qualification, action under the rules of the Legislature, Rule 10, must be triggered when somebody files a petition, but they're also required to serve notice on the person being challenged. And they have to have a notarized statement showing what they call a proof of service. Those are what are called jurisdictional principles. If they are lacking, the tribunal, whatever it is, has no jurisdiction to address whatever the issue is. Those things were missing in this case. The committee has hired a former judge of the Nebraska Supreme Court, who knows this. Rather than send a show-cause order, they should have just dismissed it because they know that that...those are fatal defects. I was not served. There was no notarized proof of service. It should be over. But you know what? Since I'm a member of the Legislature, signed on to be subject to the rules, in the first few lines of what I wrote, I told why the thing should be dismissed. But I went on to write several pages, double spaced, of course, with documentation. That shouldn't have been necessary. Even if I had conceded and said I will waive the lack of jurisdiction, I could not do that. Jurisdiction is not a question of what the parties are interested in. Jurisdiction is a matter of law. Either jurisdiction exists or it doesn't, and jurisdiction is the power under the law of a tribunal to determine the issues of the matter placed before it. Now, this idiot has had his 15 minutes of fame that Andy Warhol said that in the future everybody would enjoy. But he went beyond fame in a state like Nebraska, he talked about world fame. In the future, everybody will have his or her 15 minutes of world fame. That's the way things are done when a black man is the target. I always tell them, bring your worst or your best, whatever it is you want to bring. You're not going to make me do things. You're not going to make me say things, you're not going to make me stop doing what I want to do. I'm a grown man. I'm not your child. Let's say that the legislators are so upset with me they vote and say that I don't live where I live. Just say that they're that upset. And a court says, well you didn't even have jurisdiction here. You

Floor Debate  
February 27, 2017

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violated your own rules. You violated the statute. These are things that must be present, and they're not present. So how can you say you had jurisdiction to do this? Silly legislators. I could provoke you to do stupid things against your own interest... [LB46]

SENATOR LINDSTROM: One minute. [LB46]

SENATOR CHAMBERS: ...because that's what you are. And I say this like I say when that idiot who was backing Kintner, you all's buddy, wanted to have me disciplined by the Accountability and Disclosure Commission or the Attorney General or whoever he thought would discipline me for misusing state resources for using the typewriter and the paper that I use to put together Kintner-grams and the copying machine to make copies to distribute to you all. And it was thrown out unanimously. Which one of you have had your name used as a campaign stick to hit other people over the head with saying they voted with you? How many of you have had a governor say he was going to put together a coalition in the Legislature to control you? None of you. Which of you have had any national notoriety for anything... [LB46]

SENATOR LINDSTROM: Time, Senator. [LB46]

SENATOR CHAMBERS: ...of substance? I might disagree. [LB46]

SENATOR LINDSTROM: Senator Chambers, you're next in the queue. [LB46]

SENATOR CHAMBERS: Thank you. Now I'm beginning to get into my stride, as it's called. I'm really beginning to have fun now. And I'm going to tell you something else. You bring one of those funeral bills here and you're going to hear me sing the national anthem of those who plant them. The morticians asked me to write a national anthem for them and I did it. And it's sung to the tune of "these are a few of my favorite things." Now, if you all are interested enough and petition me with sufficient respect and seriousness, I won't wait until we get one of those cemetery bills and one is somewhere on the agenda, not yet to become...but it's somewhere in the pipeline. I won't wait until then. I'll go get the lyrics and I will do it for you. It will be like something you never heard before. I gave a rendition at a national conference I attended and they printed it in their publication. They had never heard anything like that. They didn't think there could be so many verses about the work that undertakers undertake to undertake. Senator Lowe is sitting there kind of nodding. Now, there's a commercial on television and it's put on by this mortuary. I think it's clever, about how people ought to pay attention to when they're driving, because...make it to the church on time. Yeah, I'll get you to the church on time in a hearse. You know, it's very clever. Well now if a hearse was driving down the road and was in the intersection and somebody ran the red light and t-boned that hearse, and the body flew out on the street, what would they call it when they put that body back in the hearse? A rehearsal, obviously, right?

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

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They re-hearsed the body. See, when you got a mind that's active, you think of these things. And when you see commercials, they cause you to think of things other than maybe what they expect you to think of. And now when I say I'm getting into my stride, I'm discussing this particular bill at the level it should be discussed. We had some serious exchanges this morning. All of the sensible things, basically, have been stated on both sides. So now all I'm doing is taking time. And you know what, there goes...Senator Murante won't leave me alone. He knows that he provokes me. I'm not going to ask him a question. But here's what I'm wondering, I'm wondering when he will stand on this floor and apologize to that woman for having publicly said she's a liar at a committee hearing, as I would do if I had done something like that. I'm just wondering. If I'm man enough to say something like that, I'd be man enough to admit that what I said was wrong, that this person has family members, that they were insulted when she was insulted. And something is owed. A debt is outstanding and it has not been paid. That's what we have around here. Being white, you can do whatever you want to and get away with it. The editorial writers don't look at it. But I look at it. And I'm not going to let some things... [LB46]

SENATOR LINDSTROM: One minute. [LB46]

SENATOR CHAMBERS: ...get past me. Did you say time? [LB46]

SENATOR LINDSTROM: One minute, Senator. [LB46]

SENATOR CHAMBERS: Thank you. In the old days, senators used to make passes at the young pages until I threatened to point out what they were doing on the floor and said at the end of the day we were going to dust all these young pages, females, for fingerprints and any senator whose fingerprints showed up I was going to make them known to that senator's spouse. Then they wanted to stop doing some of that. Young people come here and think that they're going to deal with people who are respectful and find out that's not the case. So there will be a lot of things for me to talk about as I pursue what I'm doing on this bill. Which time was that that I spoke, Mr. President, on this one? [LB46]

SENATOR LINDSTROM: This is your second time, Senator. [LB46]

SENATOR CHAMBERS: Thank you. [LB46]

SENATOR LINDSTROM: Time, Senator, and you're next in the queue. This is your third time. [LB46]

Floor Debate  
February 27, 2017

---

SENATOR CHAMBERS: Thank you. Members of the Legislature, to come back to this bill, rape is no laughing matter. Senator Kintner thought it was a laughing matter. Others of his ilk thought it was a laughing matter and tried to defend him. Where's the outrage? I made a comment about the Catholic church walking through this Chamber in seven-league boots, mentioning how they did their lobbying--outrage. Not that same outrage on Kintner. The only reason there was outrage was because the public was starting to chime in and be critical. He had defenders on this floor. Some people said who are we to regulate morality? But they want to do it when it involves other people. What business is it of the government if a woman does not want to carry a pregnancy to term? Would those who say she must carry this pregnancy to term be willing to help support the child? Absolutely not. How does anybody know what's in a woman's mind when she decides to have an abortion? There are all kind of motivations attributed based on the lowness of the mind of the one trying to project things on her. But believe it or not, I see some things done by people on the floor of this Legislature which would be far worse than a woman deciding to have an abortion. The woman is not depriving anybody of food, shelter, medical care as these senators do when they vote against things that we ought to vote for. When the Governor wants to cut these programs that are designed to help people, why don't you show the same fervor then for the people who are alive and who are being harmed by your leader, by your master, by your Governor? You don't see editorials about what the Governor has done and what he's saying, because the white media are of, by, and for white people. And they do have lines that they're not going to cross depending on who the person is. Suppose I locked up with a group of black men who, in the minds of white people, are dangerous radicals who advocate violence, even though they've never committed an act of violence. There would be editorials about it. I shouldn't even be associating with people like that. I was editorialized against when I said I'd be a candidate on the ticket, I think they called themselves the New Alliance Party. And in those days there was even more hostility toward and hatred of gay and lesbian people, and that was one of the main planks in their party. Senator Chambers has always been in favor of this and that and the other, things that white people might have found not objectionable, but he's doing this now. He's going to hurt his credibility. Credibility with whom? Trying to get credibility with a white newspaper editor? [LB46]

SENATOR LINDSTROM: One minute. [LB46]

SENATOR CHAMBERS: A white reporter, a television mechanic...I mean newscaster? Not so. Not only is there power in this Legislature that it won't use, there is power in the media. But they're afraid to use it, and they won't use it. And they pick the safe things to deal with. I'm going to keep...I'm going to see one of them editorialize about Senator Murante. I don't even know of any women in government right now that I could call a liar, even if she were. And if I did, they'd say, he's always talking about being interested in the welfare of women and he called one a liar. You haven't heard Senator Murante get up here... [LB46]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

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SENATOR LINDSTROM: Time, Senator. [LB46]

SENATOR CHAMBERS: ...and say anything about it, have you? Thank you, Mr. President. [LB46]

SENATOR LINDSTROM: (Visitors introduced.) Senator Walz, you are now recognized. [LB46]

SENATOR WALZ: Thank you, Mr. President. I stand in opposition of the amendment, as well as LB46. First of all, I want to say that I do agree that people have the right to say how they feel. But sometimes I think that we do things that promotes even more division among people than what is needed. And I really try hard...I really try hard, especially now, to remember that...and to think before I speak or before I do something, is that will this potentially bring people together or divide people even further? Secondly, this position here in Lincoln has really changed my life because my eyes have been opened to so many people and issues that people have in their lives. And one of the things that I've realized is that I have been pretty ignorant about what's happening around me. And it's not even that I meant to be ignorant in that way, but I was. And I want to do a better job, but a license plate, in my eyes, is not going to make me a better person or it's not going to help me make better decisions. I won't make a difference in somebody's life because I have a certain license plate. Last week, I was talking with my staff about this. And I said, you know what, you guys, I don't want to be a person that sits in this beautiful building just making decisions. And I know that's very, very important. But I don't want to be the person that just sits here making the decisions. I really want to make a difference, and I really want to make a difference outside of this building. As I was leaving a church parking lot one day I noticed a sign, again, as I was leaving the parking lot, that said you are now entering the mission field, meaning the mission to work for people was not inside those walls of the church, but outside. Our mission to educate, serve, and assist those in need should not only happen in here in this building, debating on a license plate bill, but I...that I feel may divide people even more. But I'd rather be outside the doors where we can really make a difference. Again, I do agree that people have the right to say how they feel, but to put everybody on a license...to put everything on a license plate does nothing to really promote the real needs of the people that we serve. Thank you. [LB46]

SENATOR LINDSTROM: Thank you, Senator Walz. Senator Brasch, you are now recognized. [LB46]

SENATOR BRASCH: Thank you, Mr. President, and good morning, colleagues. I've been listening to this debate quite closely and today I thought I will stand up and speak in opposition to FA3 for Senator Chambers and in support of LB46. Listening with one ear and trying to keep up with incoming e-mails, a constituent...and actually it's not a constituent, one of our second

Floor Debate  
February 27, 2017

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house that periodically sends their thoughts to all senators, or many senators, he reminded me about Norma McCorvey, the woman who was Roe in Roe vs. Wade. She died at age 69 just recently. It's been on the news. And so I pulled up the story The New York Times did. And in her story of her life, in 1998 she said that she went before a Senate subcommittee and made a reversal very clear. And I quote her, she said--I am dedicated to spending the rest of my life undoing the law that bears my name. She had a very torn life. She regrets that perhaps over--and it's the word "perhaps" because you don't know--50 million legal abortions have been performed in the United States. She became known as Jane Roe even though she was on the sidelines, went out of the picture for almost a decade, only to show up later initially to try to help the cause for abortion knowing she was wrong, realizing that later. And that she did not have an abortion, that in fact she gave up her children at birth, she became a cleaning woman, a waitress, a carnival worker. She was bisexual, primarily lesbian, and she sought refuge from poverty and dead-end jobs in alcohol and drugs. She said she did switch sides from an abortion rights to an advocate to antiabortion campaigner. And she vowed that the mistakes of the past should not steer the future. She was five months pregnant with her third child and she said she signed an affidavit she didn't even read. She just wanted a quick abortion. And then four months later she did give birth. She had little contact with her lawyers, she never went to court. She was never asked to testify. She was uninvolved in any of the proceedings that took three years to reach the Supreme Court. And she learned of the decision in a newspaper, that's how far out of the loop she had become, that she was just a piece that was put into motion far beyond her realization of what that decision was made for her. And that does happen sometimes in abortion. Somebody makes the decision for you and you move forward. I've heard of it several times. And I also wanted to make note not only of her situation...and please do pull up the article in The New York Times. I found it online. But I have a good friend and colleague that I met through the Henry Toll Fellows of the Council of State Governments and his name is Senator William Holtzclaw, and he has a very accomplished life from the very beginning that he tells his friends and colleagues and others who will listen, is that his mother was single when she became pregnant. She was in her 30s. She was a professional. Her family, her neighbors, her employers begged her, compelled her, tried to pressure her into an abortion. But she knew, his mother knew, that the life inside of her was indeed a life of someone. And he took advantage of that life and he has earned a college degree. He became a Marine. He signs his name Bill with a Semper Fi. And so I do want to say that Roe vs. Wade, as Senator Chambers, you know, a man, sees it as an opportunity for freedom, it is a chain that binds some women with great regrets for a choice that they made. And some children, individuals, adults, that I have met as a state senator, many of them, they are very grateful and thankful that their biological mother gave them the gift of life and adoption to move forward. Parenting may not be for everyone, but abortion should not be a method of birth control. And although you're a woman and your body is your own, but that life inside of you has its own DNA, has its own thumb print, has its own life print. And I believe, as a woman, that you do have a responsibility to ensure that that life is cared for from conception to birth, especially if

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

---

you do give it for adoption. But the family bonds are very strong moving forward if it is your child. And I think as legislators, that's what we... [LB46]

SENATOR LINDSTROM: One minute. [LB46]

SENATOR BRASCH: ...do here is to look at the debate on morality. Do we dictate it or not? You know, Senator Chambers found the life of a mountain lion is very important. And I as a woman believe that the life of a child in your womb is very important. And, senators, I do encourage you to vote green for LB46. As politically charged as some are saying it to kill it, keep this bill going and I compel Senator Chambers to withdraw any future amendments. I could have a conversation with him on the floor if he chooses respectfully. Senators, this is a very important measure moving forward. Thank you, Mr. President, and thank you, colleagues. [LB46]

SENATOR LINDSTROM: Thank you, Senator Brasch. Seeing no one else in the queue, Senator Chambers, you're recognized to close on your amendment. [LB46]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, I'd like to ask Senator Brasch a question or two if she would yield. [LB46]

SENATOR LINDSTROM: Senator Brasch, would you yield? [LB46]

SENATOR BRASCH: I will yield. [LB46]

SENATOR CHAMBERS: Senator Brasch, would you agree that if you are pregnant or any other woman is pregnant, the pregnant person has the right to determine whether she's going to carry the pregnancy to term, correct? [LB46]

SENATOR BRASCH: I believe that she has a responsibility to carry it to term unless there is... [LB46]

SENATOR CHAMBERS: No, I said she has the right. [LB46]

SENATOR BRASCH: The right exists, the legal right. [LB46]

SENATOR CHAMBERS: All right. Now, you have a right to do whatever you want to do with your pregnancy, don't you? [LB46]

Floor Debate  
February 27, 2017

---

SENATOR BRASCH: I have a legal right. [LB46]

SENATOR CHAMBERS: So why do you want to determine what somebody else should have to do because of how you believe you ought to do? [LB46]

SENATOR BRASCH: Because you fought for a mountain lion, I fight for unborn children. [LB46]

SENATOR CHAMBERS: That's not the question. Okay, thank you. Members of the Legislature, that's busybodyness. Now she wants to give the impression that I'm saying a mountain lion means more to me than a human being. I'm saying that my concern extends even to the four-footed animals. I'd like to ask Senator Brasch another question if she would yield. [LB46]

SENATOR LINDSTROM: Senator Brasch, would you yield? [LB46]

SENATOR BRASCH: Yes. [LB46]

SENATOR CHAMBERS: Senator Brasch, when we were voting on whether to extend the reach of Medicaid, how did you vote on those bills? [LB46]

SENATOR BRASCH: Not for the expansion of Medicaid. [LB46]

SENATOR CHAMBERS: Not to extend it? [LB46]

SENATOR BRASCH: Not to extend it. [LB46]

SENATOR CHAMBERS: Thank you. And see, that extension would have helped these children whose parents cannot provide medical care. She can say anything she wants to on this floor, but her vote tells a different story. Now I care about mountain lions, so I try to do things in this Chamber to help those animals. I care about children and I try to do things in this Chamber to help these children. These vague notions that come from male-dominated churches don't move me at all because, see, a man knows a man. I get calls all the time from the female relatives of inmates--a wife, a girlfriend, a mother, a grandmother, an aunt, a sister, a daughter, but never another man. Do you know why? Because a man knows a man. He would tell a man, you did what they said you did. So don't be calling me saying that you're being mistreated. But they play on the woman's sympathy, and she calls me. And then after I explain some things to them, they're glad that they talked to me because they were feeling a guilt that they shouldn't have felt. First

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

---

thing I tell them, did you put him in there? No. If it's the mother, did you teach him to do that? No. How old did you say he is? Some of them in their 30s and 40s. I say he knew what he was doing. He'll kill you--early on. And I've stopped some women from getting a mortgage on their house to hire a lawyer. I said if you do get foolish enough to do that, when you get that money, you turn that check over to me. Don't give it to a lawyer. He'll take your money and your son's going to be right where he is because nothing can be done in his case and the lawyer will lie to you and say he did everything that he could do. So you give me the money. Then when you return to your senses, or your senses return to you, I'll give you your money back. And you give it back to the bank and you still got your house. Those are the things that happen. It's easy for Senator Brasch...and you ought to watch her when she stands up and the things she'll talk about--busybody meddlesomeness. And then when we can vote and do what legislators can do, she votes no. [LB46]

SENATOR LINDSTROM: One minute. [LB46]

SENATOR CHAMBERS: I've often emphasized that the difference between us and a debating society, we don't just talk about highfalutin things, noble ideas. We have the wherewithal to do something about it. We can enact programs that will help the poor, the hungry, those who are ill, those who are homeless, those who need better education. We can do it and they always vote no. Then they're going to try to tell some other woman, you need to carry that pregnancy to term. That's what you need to do. What they need to do is mind their own business and take care of the business we can do here. If we're going to reach out into other people's lives, let's do it in a positive way so they're better off after we've done what we do than worse off. Thank you, Mr. President. [LB46]

SENATOR LINDSTROM: Thank you, Senator Chambers. The question is, shall the amendment to LB46 be adopted? All those in favor vote aye; all those opposed vote nay. There's been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk. [LB46]

ASSISTANT CLERK: 23 ayes, 6 nays to go under call, Mr. President. [LB46]

SENATOR LINDSTROM: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber please return to the Chamber and record your presence. All unauthorized personnel please leave the floor. The house is under call. Senators Hughes, Stinner, Morfeld, Harr, Wayne, and Groene, please return to the Chamber. The house is under call. Yes, Senator. [LB46]

SENATOR CHAMBERS: I will take a machine vote and make it a record vote. [LB46]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 27, 2017

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SENATOR LINDSTROM: There's a request for a machine vote and record vote. The question is, shall the amendment to LB46 be adopted? All those in favor vote aye; all those opposed vote nay. Have you all voted? Record, Mr. Clerk. [LB46]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 556.) Vote is 6 ayes, 32 nays, Mr. President, on the adoption of the amendment. [LB46]

SENATOR LINDSTROM: The amendment fails. Raise the call. Mr. Clerk, items for the record. [LB46]

ASSISTANT CLERK: Mr. President, your Committee on Enrollment and Review reports LB85 to Select File with amendments. In addition to that, report on confirmation of Gubernatorial appointments by the Government, Military and Veteran Affairs Committee. Government reports, LB222, LB318, LR6, LR18CA all to General File; LB151 to General File with amendments, as well as LB280 and LB655 (also LB624). Name adds: Request to reintroduce Senator McDonnell to LB300, Senator Watermeier to LB589, Senator Kolowski to LR47, Senator Watermeier to LR48. (Legislative Journal pages 556-559.) [LB85 LB222 LB318 LB151 LB280 LB655 LB624 LB300 LB589 LR6 LR47 LR48 LR18CA]

Finally a priority motion, Senator Baker would move to adjourn until Tuesday, February 28, 2017, at 9:00 a.m.

SENATOR LINDSTROM: The motion before us is for adjournment. All those in favor say aye. All those opposed say nay. The ayes have it. We are adjourned.