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Transportation and Telecommunications Committee  
January 17, 2017

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[LB45 LB46]

The Committee on Transportation and Telecommunications met at 1:30 p.m. on Tuesday, January 17, 2017, in Room 1113 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LB45 and LB46. Senators present: Curt Friesen, Chairperson; Jim Smith, Vice Chairperson; Bruce Bostelman; Tom Briese; Suzanne Geist; Mike Hilgers; Dan Hughes; and John Murante. Senators absent: None.

SENATOR FRIESEN: (Recorder malfunction)...one of our pages, they will take it from you when you come to testify. When you begin your testimony, it's very important that you clearly state and spell your first and last names. And if you don't do that, I will stop you and ask you to do that. In order to keep things moving and accommodate everybody who wishes to testify, we are going to use a light system, and I would ask that you try not to repeat yourself when you're...or others when you present your testimony in order to let everyone have an opportunity to testify. We will give you a five-minute light. At four minutes, when there's one minute left, it will go yellow; that means you have one minute to finish up. When it turns red, I wish you would wrap up really quickly and you will be done with your testimony. Those not wishing to testify may sign the pink sheet by the door to indicate their support or opposition to the bill. And I think that's the only things I have. I'd like to introduce other members on the committee and the staff. If you go to the far right, Senator Bruce Bostelman from District 23. Next is Senator John Murante from Gretna. Next to him is Senator Jim Smith, the vice chair of the committee, from Papillion, representing District 14. And to my immediate right is the committee legal counsel, Mike Hybl. On my left is Elice Hubbert, the committee clerk. And next to her is Senator Dan Hughes from Venango, representing District 44. And then we have Senator Mike Hilgers from Lincoln, representing District 21, and Senator Suzanne Geist from Lincoln, representing District 25, and Senator Tom Briese, representing District 23. We have two pages assisting us this afternoon, that's Heather Bentley from Miller, Nebraska, and she is a freshman at UNL; and we have Jade Krivanek from Omaha, also attending UNL. I hope I said that right.

JADE KRIVANEK: Good enough.

SENATOR FRIESEN: He'll get me corrected before we're done with these hearings. So with that, we will open up the hearings, and we will start with Senator Watermeier.

SENATOR WATERMEIER: Thank you, Chairman. Thank you Chairman Friesen and the members of the Transportation and Telecommunications Committee. I am Senator Dan Watermeier, spelled W-a-t-e-r-m-e-i-e-r, representing District 1 in southeast Nebraska. Just to be clear, this is the same bill I had last year. It was held up. It never got out on the floor. I think we had a good bill at that point in time--very few changes to it--but I will explain a little bit here.

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LB45 proposes to allow non-federalized reservists to be eligible for military honor plates. Accordingly, the bill authorizes the Department of Motor Vehicles to design reservist plates. I introduced a similar bill last year, LB732. It was advanced by the Transportation Committee on an eight-to-zero vote; however, the bill was not prioritized and could not find a bill to amend it onto, so it was left on the General File. This year's version does include language suggested by the Department of Motor Vehicles regarding vehicles registered in the name of a trust. If the trust includes a qualified veteran's name, it would be eligible for military honor plates. Since the law currently allows an eligible person to apply for the plates, language needed to be added to deal with the trusts. As I understand, this has occurred a few times since military honor plates were first issued and has also occurred, over the past, with handicapped or disabled person plates. The language in LB45 is similar to the language used previously to address the trust issue for handicapped or disabled persons. The issue was initially brought to my attention when a constituent called my office informing me that, as a reservist, he did not qualify for the military honor plates even though he had served ten years with the Army Reserves. I did some research and found that reservists could not qualify unless they were federalized, which then allowed them to qualify for the plate of the entity that called them up to duty. Currently, military members of the reservists must serve on an active duty that is not considered training before they are eligible for a military honor license plate. Basic training or job training does not make them eligible for the plates. Active duty would be such things as: deployment, mobilization, or activation for a contingency operation. This does not, necessarily, have to involve combat or overseas duty and can even include local service, as long as that it is in accordance with Title 10 of the United States Code. Under LB45, the eligibility for military honor plates is explained to include reserve duty as well as active duty. Likewise, the statute pertaining to the registry established by the Department of Veterans' Affairs is also amended to include active duty or reserve duty in the Armed Forces of the United States. Eligibility for these plates is determined using this registry. If LB45 is passed, previously denied reservists would need to reapply to the registry. The military honor plates were established by LB383, introduced by former Senator Charlie Janssen, several years ago; these plates just became available last year. As proposed in LB45, there would be 11 designs for military honor plates, rather than the current 6 designs. They would create a reservist companion plate for the current categories of U.S. Army, Navy, Marine Corps, Coast Guard, and the Air Force plates. The National Guard is already a reservist unit, so it doesn't need a separate reservist plate. Since the design has already been created for those plates and LB45 would only require the insertion of the word "Reserve," the Department of Motor Vehicles indicated that the minor computer programming expenses to accommodate this could be handled with existing appropriations. Therefore, the passage of LB45 would provide additional revenue to the Nebraska Veteran Cemetery System Operation Fund and the Department of Motor Vehicles Cash Fund. I believe that the Department of Veterans' Affairs is here today to testify in support of LB45. Although I'd be happy to answer some questions, I think you have better witnesses behind me that can do a better job of explaining it to them. And I urge you to advance LB45 to the floor of the Legislature. [LB45]

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SENATOR FRIESEN: Thank you, Senator Watermeier. Are there any questions from the committee? Seeing none, thank you. Do you wish to close later? [LB45]

SENATOR WATERMEIER: All right. I'll probably waive closing because I have another bill, and it looks like you got a stack of testifiers. [LB45]

SENATOR FRIESEN: Okay. [LB45]

SENATOR WATERMEIER: Thank you, Chairman. [LB45]

SENATOR FRIESEN: Is there anybody who wishes to testify in favor of this bill? Welcome. [LB45]

JOHN HILGERT: Good afternoon. Chairman Friesen, members of the Transportation and Telecommunications Committee, my name is John Hilgert, J-o-h-n H-i-l-g-e-r-t, and I'm the director of the Nebraska Department of Veterans' Affairs. I am here to testify in support of LB45. Senator Watermeier certainly did a very commendable job, and a thorough job, describing the bill. I'll simply again briefly go over it. It does add that option for military reservists that have not been federalized to have their own license plates. We're very appreciative of the committee and the support of the past for veterans' license plates. We're totally in support of this bill. This is an equitable solution to those reservists who rightly wish to show their military pride by purchasing a military honor plate that is not currently available to them. Again, Senator Watermeier did do a very good job in describing the bill. And I have nothing further to add except our support for the bill. And we would be happy to have...answer any questions you or the committee might have. Mr. Chairman... [LB45]

SENATOR FRIESEN: Thank you, Mr. Hilgert. Are there any questions from the committee? Seeing none, thank you for your testimony. [LB45]

JOHN HILGERT: Thank you very much. And we'll be available, should you have any later; thank you. [LB45]

SENATOR FRIESEN: (Exhibit 1) Any others wish to testify in favor of the bill? Seeing none, we have one letter in support of the bill from Dale Andersen. Are any of those who wish to testify in opposition to the bill? Seeing none, we will close the hearing on LB45. Oh, sorry. Does anybody wish to testify in a neutral capacity? That will close the hearing on LB45. Next we will have a hearing on LB46. Welcome, Senator Watermeier. [LB45]

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SENATOR WATERMEIER: Chairman Friesen and members of Transportation, this is Dan Watermeier, W-a-t-e-r-m-e-i-e-r, representing District 1 in southeast Nebraska. I'm here to introduce LB46. LB46 requires the Department of Motor Vehicles to design license plates to be known as "Choose Life License Plates." The design is to reflect support for the protection of Nebraska's children. Such plates would be available as alphanumeric or personalized message plates with a maximum of five characters. In addition to other fees required on registration, each applicant for an alphanumeric plate shall be accompanied by a \$5 fee which is to be credited to the Nebraska Child Abuse Prevention Fund. For message plates, 75 percent of the \$40 fee shall be credited to the Child Abuse Prevention Fund, with the remaining 25 percent directed to the Department of Motor Vehicles Cash Fund. Prevention of child abuse and neglect was designated as a priority in statute and the Child Abuse Prevention Fund is used to award grants to agencies, organizations, and individuals for community-based child abuse prevention programs. Although there were some initial expense to the Department of Motor Vehicles to modify the computer systems to accommodate these new plates, it is estimated that about 2,500 sets of Choose Life Plates will be sold, bringing in approximately \$70,000 in revenue, with an estimated \$15,000 going to the Department of Motor Vehicles Cash Fund and \$55,000 to the Nebraska Child Abuse Prevention Fund. The majority of states offer the option of Choose Life License Plates. I believe that Nebraska should join these other states in allowing motorists to express their support for pregnant women and the unborn through the purchase of these license plates. I encourage you to vote to advance LB46 to the General File. If there are any questions, I'd be glad to answer them, but I think we do have better testimony coming up behind me again. [LB46]

SENATOR FRIESEN: Thank you, Senator Watermeier. Any questions from the committee? Seeing none, thank you. [LB46]

SENATOR WATERMEIER: And I have Appropriations hearings going on right now that I feel obligated to go back to, so I'm going to waive my closing right now. All right? [LB46]

SENATOR FRIESEN: Okay. Thank you, Senator Watermeier. [LB46]

SENATOR WATERMEIER: Thank you. [LB46]

SENATOR FRIESEN: Is there anyone wishing to testify in favor of this bill? Welcome, Lieutenant Governor. [LB46]

MIKE FOLEY: Thank you much. Good afternoon, Chairman Friesen, members of the Transportation Telecommunications Committee. For the record, my name is Mike Foley, F-o-l-e-y, testifying today on behalf of the office of the Governor and the office of the Lieutenant Governor of the state of Nebraska. I'm here today in support of LB46, which would allow the

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state of Nebraska to join with 28 or 29 other states that provide motorists the option of placing a Choose Life License Plate on their vehicles. The Governor and I are very grateful for this early hearing date, which should assist in the passage of this important legislation. Many of you will remember this bill from last year as it was cosponsored by 33 state senators and was designated as a Speaker priority bill. Unfortunately, time expired before the bill could be completed on the floor. The bill before you this afternoon is modeled after the legislation enacted last year regarding mountain lion protection. LB46 would follow the pattern of laws in most states which give recognition to the inherent dignity and sacredness of human life. I should point out that this new specialty plate envisioned by this bill would be completely optional on the part of motorists and is not state-required speech. The language of the green copy of the bill directs the \$5 fee for these specialty plates to be placed in the Child Abuse Prevention Fund, administered by the Department of Health and Human Services. The provision of resources for child abuse protection performs a tremendous public service and contributes to the construction of a healthy culture of life in our state consistent with our proud history. In summary, this legislation advances sound public policy while enabling citizens to pay for the option of expressing their support for the dignity and humanity of human life. We encourage advancement of the bill by the committee and urge its final passage into law. Thank you, Chairman Friesen. [LB46]

SENATOR FRIESEN: Thank you, Lieutenant Governor. Are there any questions from the committee? Seeing none, thank you for your testimony. [LB46]

MIKE FOLEY: Thank you. [LB46]

SENATOR FRIESEN: Others wishing to testify in favor? [LB46]

BOB BLANK: (Exhibit 1) Good afternoon, Senators. My name is Bob Blank, B-o-b B-l-a-n-k. I'm from Omaha, and I'm the state chairman of Choose Life Nebraska. We've been working since 2004 to see this day when we could have a bill that was livable to be able to bring a Choose Life License Plate option to the people of Nebraska. I have put most of my testimony in writing in order to save time. There's a lot of charts on here, and you'll see that, in the chart which is on the back two pages of your material, that 1,111,000 Choose Life License Plates and license plate renewals have happened in the United States since the Choose Life began; they actually began down in Florida in the year 2000. The Choose Life License Plate has been an effective way to get the message out, to give people the opportunity to have a Choose Life Plate. We...there is a specialty plate law in Nebraska. It requires a \$70 payment and it requires 500 of them to be sold before the Department of Motor Vehicles will make them. The prices are on that sheet that they charge around the country, and \$70 is, by far, the highest charged anywhere. And in most instances the excess money goes to a cause which is generally a pro-adoption agency; that's not going to happen in Nebraska, it's going to the Child Abuse. And Choose Life Nebraska...we have

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no objection of that; we're in favor of this bill. We just want people to get that message out there. And, you know, there's other ways to get messages: I've got a tie that says "Choose Life;" and we've got plate frames that say "Choose Life;" and things that go on our coats and stickers for your letters, and it's not the same as a license plate. A lot of people don't want bumper stickers on their cars; they don't want things sticking there. But everybody has to have a license plate. So I would encourage you, after doing this since 2004 for 13 years, we've been praying hard and we hope that you find it in your hearts to advance the bill to the floor of the Legislature this year. If you have...need any more information, my contact information is on here and I'd love to answer any questions that you have. [LB46]

SENATOR FRIESEN: Thank you, Mr. Blank. Are there any questions from the committee? Seeing none, thank you for your testimony. [LB46]

BOB BLANK: Thank you. [LB46]

SENATOR FRIESEN: Any others wish to testify in favor of LB46? Welcome. [LB46]

KAREN BOWLING: (Exhibit 2) Thank you. Senator Friesen and members of the Transportation Committee and Telecommunications Committee, I'm Karen Bowling, K-a-r-e-n B-o-w-l-i-n-g, and serve as executive director of Nebraska Family Alliance. I am here in support of LB46 for three primary reasons: First, we believe the bill provides an important opportunity for the citizens of the state to voluntarily promote a positive message about life that reflects a growing support for the protection of Nebraska's greatest resource, our children. It also gives people the ability to raise funds for a cause they deeply believe in, the prevention of child abuse. Second, many states, including Nebraska, have a history of allowing specialty license plates to promote various messages of solidarity and support. And third, although there have been challenges to these types of license plate bills, the message is consistent with the First Amendment and the Supreme Court's government speech precedents. In 2015 the Supreme Court reversed a lower court decision that barred Choose Life License Plates in North Carolina. Legislators in North Carolina petitioned the U.S. Supreme Court to review this decision and the Supreme Court ruled in favor of the Choose Life License Plate in Berger v. American Civil Liberties Union of North Carolina. The Choose Life message, in conjunction with supporting the prevention of child abuse fund (sic: Child Abuse Prevention Fund) is an option that many Nebraskans would fully embrace. For these reasons, Nebraska Family Alliance encourages the committee to advance LB486 (sic: LB46). And thank you for your consideration and time, and I've also attached a one-page document on the Nebraska Child Abuse Prevention Fund for your information. Thank you. [LB46]

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SENATOR FRIESEN: Thank you. Thank you, Ms. Bowling. Are there any questions from the committee? Senator Geist. [LB46]

SENATOR GEIST: Karen, to your knowledge, is there any law prohibiting those who might oppose this to bring forward legislation to print a plate of their opposing view? [LB46]

KAREN BOWLING: There is not. Third parties cannot sanitize messaging, and so actually state governments also have the ability to promote public policy messaging on their plates that represents the people of the state. [LB46]

SENATOR GEIST: Okay, thank you. [LB46]

SENATOR FRIESEN: Thank you, Senator Geist. Any other questions from the committee? Seeing none, thank you for your testimony. [LB46]

KAREN BOWLING: Thank you. [LB46]

SENATOR FRIESEN: Any others wishing to testify in favor? Welcome. [LB46]

JEFF KANGER: (Exhibit 3) Thank you. Chairman Friesen and members of the committee, my name is Jeff Kanger, J-e-f-f K-a-n-g-e-r. I'm the associate director for pro-life and family for the Nebraska Catholic Conference, and I am here on behalf of the conference in support of LB46. The Nebraska Catholic Conference represents the mutual public policy interests and concerns of the three Catholic bishops serving in Nebraska. I'm going to throw in a Pope Francis quote here, because he's kind of the guy of the times. Pope Francis often mentions and warns against a throwaway culture. He states: The victims of this throwaway culture are precisely the weakest and most fragile human beings--the unborn, the poorest, the sick and elderly, the seriously handicapped--who are in danger of being thrown away, expelled from a system that must be efficient at all costs. It is necessary to raise awareness, inform the lay faithful in whatever state, especially those engaged in the field of politics, so that they may think in accord with the gospel and the social doctrine of the church and act consistently by dialoguing and collaborating with those who, in sincerity and intellectual honesty, share--if not the faith--at least a similar vision of mankind and society and its ethical consequences, end quote.. LB46 respectfully raises society's awareness with respect to the unborn child and her mother. Choosing life is a cultural debate, but at the center of the discussion is a woman and her child. Compassionately advocating for the child and mother is the Choose Life movement. Choose Life License Plates raise awareness, and it is our hope that heightened awareness increases the recognition of the human dignity of the unborn child and serves as a platform for groups to discuss the many support systems available

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to women, whether it's medical care, financial resources, housing, or post-abortive counseling. These services are undertaken by countless persons and organizations across our state. Thank you for raising awareness and we urge you to advance LB46 to General File. [LB46]

SENATOR FRIESEN: Thank you, Mr. Kanger. Are there any other questions from the committee? Seeing none, thank you for your testimony. [LB46]

JEFF KANGER: Thank you. [LB46]

SENATOR FRIESEN: Any others wishing to testify in support of the bill, LB46? Welcome. [LB46]

PAIGE EDWARDS: Thank you. Am I close enough? Can you hear me? [LB46]

SENATOR FRIESEN: Good enough. [LB46]

PAIGE EDWARDS: Good afternoon, Transportation and Telecommunications Committee members. My name is Paige Edwards, P-a-i-g-e E-d-w-a-r-d-s. I am a representative of the University of Nebraska-Lincoln's Students for Life. This pro-life organization seeks to educate others about pro-life issues, support rights for the unborn, and support pregnant and parenting individuals. Students for Life is actively interested in expressing our views. We encourage the free expression of opinions that each citizen is afforded, be they opinions that we may, or may not, agree with. Political discourse is vital to changing the hearts and minds of others, in terms of the pro-life movement or any political movement, for that matter. We are in support of LB46, providing Choose Life License Plates. I am here today to ask that you advance LB46. This is a matter of freedom of speech and expression. It is an alternative form of discourse, but one that is similar to other forms that we see are popularly used today. LB46 would grant the opportunity for Nebraska drivers to express their pro-life views on the road as it exists in 29 other states. In 2010 the Supreme Court case of Citizens United v. the Federal Election Committee (sic: Citizens United v. Federal Election Commission), it was established in the Opinion that spending money is a legitimate form of political speech. The Opinion also acknowledges that it is a means of assembly and association. By purchasing the license plates that LB46 would enable, Nebraskans would be engaging in political discourse by stating their pro-life stance and associating themselves with the pro-life movement. Who is to stop pro-life individuals, or any individual, from purchasing an item that aligns with their beliefs? Bumper stickers are currently widely purchased to represent various political parties and special interest group. In this sense, the Choose Life License Plate is essentially no different than a bumper sticker. While some may argue against the words "Choose Life" and they may disagree with the systems of beliefs behind it, this does not mean that a pro-life citizen cannot have or express these views. The bill does not



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inherently indicate that all Nebraskans must be pro-life or that any Nebraskan must purchase this plate. It does, however, give the opportunity to pro-life individuals to take part in political discourse in a way that is already familiar to us. We ask that you advance this bill. Thank you for your time and consideration. [LB46]

SENATOR FRIESEN: Thank you, Ms. Edwards. Are there any questions from the committee? Seeing none, thank you for your testimony. [LB46]

PAIGE EDWARDS: Thank you. [LB46]

SENATOR FRIESEN: Any others wishing to testify in support of LB46? Seeing none, I ask for any of those who wish to testify in opposition to come forward. Welcome. [LB46]

MEG MIKOLAJCZYK: (Exhibits 4 and 5) Thank you. Good afternoon, Chairman Friesen and members of the committee. My name is Meg Mikolajczyk, M-e-g M-i-k-o-l-a-j-c-z-y-k, and I'm the public affairs manager here in Nebraska for Planned Parenthood of the Heartland. I am testifying in opposition to LB46. One in three women will have an abortion during her life. Before my testimony this afternoon, I counted how many women were in the room; there's 51...or at least there were. That means 17 women have, or will have, an abortion just sitting in this room, and it's their constitutional right to do so. There are so many reasons that women have abortions. Although their reasons to me and, more importantly, under the law, don't matter. A woman may choose this extremely safe healthcare procedure because she was raped; she lives in abject poverty; she's been exposed to Zika; the pregnancy endangers her own life; she's too young; she's too old; she's in an abusive relationship; or the pregnancy was very much desired but not viable. These are just a few reasons; each woman and each circumstance are different. If you've never asked a woman about her abortion and how she felt afterward, I can tell you, from being in this role and my research, that the number one response is that she's relieved. The majority of Nebraskans, and Americans overall, believe that a woman should maintain her right to reproductive choice, as first established under Roe v. Wade and time and time again reaffirmed, most recently in Whole Woman's Health v. Hellerstedt. Pro-choice and pro-life labels don't accurately reflect the complexity of how people actually think and feel about abortion. Rather than putting people into boxes, we should respect the real-life decisions women and their families face every single day. These license plates do not reflect how the majority of people view this issue, and I would actually suggest that the citizens here to testify today will prove that point. These license plates are a judgment: a state-issued value judgment against the one-in-three women who choose to have an abortion. This judgment, handed down from overzealous activists and extremist lawmakers, makes the women who have made this choice "others." This judgment ostracizes and reminds them that they are inferior in the eyes of the state and those who buy the plates. License plates represent state identity, and this is a matter of how we want to identify as

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Nebraskans. This isn't a state bird. It's not a proud reflection of our natural resources. These plates are an admonition, a silent, but no less hostile, and omnipresent insult, a daily reminder to women of their diminished, second-class status, while they drive to perform surgery, teach 2nd-graders, argue legal cases, care for ailing parents, and all of the other things that women do in our state to keep Nebraska strong every day. Now more than ever, Nebraskans must find a way to unite and overcome difference. A divisive license plate that deliberately attacks women does not serve that end. This is not who we are as Nebraskans, and it's not the identity that is going to keep us strong. I would also ask: if we can get these pro-life Choose Life License Plates, are we also going to get pro-choice license plates? Or is it only some freedom of speech that the state of Nebraska is willing to set forth? Thank you. I ask you to oppose this bill. [LB46]

SENATOR FRIESEN: Thank you, Ms. Mikolajczyk (applause). Hey...I will ask that no one show any signs of support or opposition to any bill. And if that happens again, I'll clear the room. That's not how we operate in this hearing room. We're here to hear testimony, and that's all. Welcome. [LB46]

MICHELE TILLEY: (Exhibit 6) Thank you, Senator Friesen and committee members. My name is Michele Tilley, M-i-c-h-e-l-e T-i-l-l-e-y. I'm a small business owner from Lincoln, Nebraska, and I'm here to testify against LB46, Choose Life License Plates. But first I'd like to mention that I have my master's degree in museum studies and a minor in mass communications. I've been working as a graphic designer and a marketer for over 20 years, and my clients are local, regional, national, and international. The most important thing that I can do for my clients is help them define their intended message; and that's why I'm here today. I believe that these proposed license plates do not reflect the message of being against child abuse but, instead, they reflect political commentary. To be effective as an awareness builder, the plates need to succinctly state that they are against child abuse. The proposed plates don't do that; they, in fact, muddy that message and cloak it under a pro-life theme--choose life. To help you visualize what I'm saying, I've attached a page, the second page, which is only four of the several license plates that we quickly pulled up. And these are from other states that have a similar message to the one that you proposed but actually do address the "prevent child abuse" theme. These plates clearly state "Stop Child Abuse" or "Prevent Child Abuse." There's no ambiguity to these plates; you understand the message immediately. It's a message that everyone, everyone can get...they can get behind this message. With over 34,000 child abuse reports in 2015 alone in the state of Nebraska, this is an issue that merits awareness building and extra income gleaned by the sales of these special plates. To cloud its message with politics does these children a great disservice. Please consider the importance of the child abuse issue and give it the message that it deserves on these plates--to stop. I strongly urge you not to use the phrase "Choose Life" on these plates, but instead use the message "Stop Child Abuse" or "Prevent Child Abuse." Please oppose this bill in its current form and amend the plate message to align with their real goal, which is to stop child abuse. Thank you for the opportunity to speak today. [LB46]

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SENATOR FRIESEN: Thank you, Ms. Tilley. Any questions from the committee? [LB46]

SENATOR BOSTELMAN: Mr. Chairman, I did not get a copy of her handout, so if someone could give me a copy, an additional...yeah, thank you. [LB46]

MICHELE TILLEY: I can read it again if you want (laughter). [LB46]

SENATOR FRIESEN: Are there any questions? Seeing none, thank you for your testimony. [LB46]

SENATOR GEIST: I actually do have a question. [LB46]

SENATOR FRIESEN: Oh, Senator Geist. [LB46]

SENATOR GEIST: So, just in your opinion, if the fund went to a fund that would, oh, have something directly to do with a pro-life message, would you then support the...be in support? Is it the disconnect that you disagree with? [LB46]

MICHELE TILLEY: I would say there's definite disconnect here, because Choose Life is...well, it's politically charged, and we all know that. If you're going to have a plate with that kind of message, then it should relate to the message. If it's about child abuse, which is what these funds are intended to go to, then it should state child abuse--that it's preventing child abuse. It's a mixed message and it's...it doesn't make any sense, frankly. [LB46]

SENATOR GEIST: Okay, thank you. [LB46]

MICHELE TILLEY: Of course. [LB46]

SENATOR FRIESEN: Thank you, Senator Geist. Any other questions from the committee? Thank you, Ms. Tilley. [LB46]

MICHELE TILLEY: Thank you. [LB46]

SENATOR FRIESEN: Welcome. [LB46]

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COURTNEY LAWTON: My name is Courtney Lawton, C-o-u-r-t-n-e-y L-a-w-t-o-n, and I'm here to testify against LB46. I am opposed to the bill because it would enshrine a falsehood upon state license plates. That falsehood can be found in the word "choose." There are two sorts of people in this argument: one believes that people have...that women have bodily autonomy and medical privacy; the other believes that women's reproductive organs are public property. Those in favor of this license plate believe that women's medical privacy is a matter of public concern. They're fighting to restrict women's access to medical procedures involving women's reproductive organs. If they had their way, women would have no choice as to whether to carry a pregnancy to term. Women would have no access to birth control methods like birth control pills and IUDs. Women would have no access to tubal ligations at medically appropriate times. Women would have no access to abortions. All of these medical procedures the Catholic Church stands in opposition to. That, ladies and gentlemen, is not a choice. A choice posits at least two options--in this case, having an abortion or not having an abortion. When lawmakers consider women's reproductive organs--their uteri, their ovaries, ova, endometrial linings, Fallopian tubes, cervixes, and vaginas--public property, they seek to remove and limit options for reproduction. They wish to make it impossible to choose life and, instead, impose life. The phrase "choose life" posits a choice between options: the option of having an abortion or not having an abortion. Anti-abortion lawmakers are anti-choice lawmakers; they would prefer that a woman have no choice about when, and where, and in what manner to reproduce. This license plate is a sham and is part of a concerted effort by religious people to impose their superstition on the rest of us who choose medical privacy, bodily autonomy, and scientific reasoning over mythology. If the license plate were to be honest, it would read, "Impose Pregnancy." And I've had an abortion. Thank you. [LB46]

SENATOR FRIESEN: Thank you, Ms. Lawton. Any questions from the committee? Seeing none, thank you for your testimony. Welcome. [LB46]

MARY HERRES: (Exhibit 7) Good afternoon, Senators. Thank you for your time. I am Mary Herres, M-a-r-y H-e-r-r-e-s. I am here to oppose LB46. And before I get started, this is...I'm sharing something very personal to me; it's very difficult. I have not shared this with people before, so I hope you understand how difficult this is for me to have to be doing this today. The Pledge of Allegiance states that "liberty and justice for all." Most people don't realize the definition of liberty is, "the state of being free within society from oppressive restrictions imposed by authority on one's way of life, behavior, or political view." I'm here today because I so deeply...I'm just so deeply offended by the right-to-life zealots who are infringing on my liberty of making choices over my own health and well-being, and now trying to insinuate that terminating a pregnancy is child abuse, when the two are not even correlated. In 1989 I was the mother of two small children and became critically ill. At the time I did not know I was pregnant. When the doctors who were treating me discovered I was pregnant, they discontinued the drugs that they were treating me with. Six weeks later I was taken to the Mayo Clinic. My

heart almost stopped from severe dehydration, with almost no potassium left in my system, and severe vertigo. The doctors tried and couldn't diagnose what was happening to me, but they managed the dehydration, but could not control the vertigo. I was faced with two very difficult choices: one, to terminate my pregnancy and begin a regimen of drug treatments that could assist me in leaving the hospital and go home to my children and my husband, or to be bedridden and run the risk of further medical complications and, possibly, a permanent heart condition. I chose my life with my two small children, who needed a healthy mother. I chose to be healthy and keep from traumatizing my children further with the thoughts of losing their mother. And now this insidious bill to make license plates that are stating "Choose Life" and insinuating that terminating a pregnancy is child abuse. Don't make me sit at a stoplight and be reminded of that scary and sad time in my life and label me as an abuser. As stated by Brandon Cloud:...the people who proclaim that they are pro-life are using that term to describe their position in regards to whether or not a woman can choose to have an abortion and absolutely nothing else. There is no aspect of life they are promoting in that refusal to allow a woman to make a choice regarding her own body. It is irrefutable that the people who would deny women the right to terminate a pregnancy are trying to control women. If someone thinks they're more qualified than a pregnant woman to decide what she does with her body, without her input, that's control, pure and simple. Attempting to dominate or control another person in a relationship is considered domestic abuse. So how is attempting to control women, whom you've never met, not considered abuse? Abusing a woman is acceptable to you? Choosing life has many different meanings, Senators. Making free choices is not what liberty is about. I'm an American, and I choose liberty. And I am not a child abuser. I am alive and now, proudly, a grandmother. And I thank you for your time. [LB46]

SENATOR FRIESEN: Thank you, Ms. Herres. Any questions from the committee? Appreciate you coming in and testifying. Welcome. [LB46]

MELODY VACCARO: Thank you. Good afternoon, honorable Chair, committee members. My name is Melody Vaccaro, M-e-l-o-d-y V-a-c-c-a-r-o, and I'm speaking on behalf of Nebraskans Against Gun Violence, and we oppose LB46. The idea that the Nebraska state government would endorse one legal, medical option over another and call it "Choose Life" is unconscionable. Our state has a real public health problem that is killing Nebraskans, including children, across the state--gun violence. This comes in the form of homicides, accidental shootings, and suicides. According to the Nebraska...to the Gun Violence Archive, 218 Nebraskans were reported in local news outlets as shot last year, including Da'Qontez Mayfield, a 14-month-old baby. Of the 218, 55 of those people were killed, including the dad of Jay'Ceon Foster, age 2. He's now an orphan because his mom was killed at a party in 2014. Those numbers don't include suicides, many by teens, of which we have an increasing rate in Nebraska, which often go unreported in the news. If the state of Nebraska wants to work on the issue of "choose life," I would recommend crafting policy that would protect children from unlocked guns in the home. Craft policy that makes it

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harder for prohibited persons to buy guns and create and increase penalties for those that sell guns to prohibited persons. Create a license plate that would collect funds for parents to receive a free gun safe or, better yet, free or low-cost storage options outside of the home. Nebraskans have a right to quality healthcare without the interference of elected officials. We have a right to expect public safety in our shared spaces. Instead of a license plate designed to display a state preference for women's bodies, I suggest we save local gun ordinances, increase background checks, and work with local communities and police to save real children's lives. Thank you. [LB46]

SENATOR FRIESEN: Thank you, Ms. Vaccaro. Any questions from the committee? Seeing none, thank you for your testimony. [LB46]

MELODY VACCARO: Thank you. [LB46]

SENATOR FRIESEN: Welcome. [LB46]

AMANDA GAILEY: Hi. My name is Amanda Gailey, G-a-i-l-e-y. I oppose this bill. Choosing life sounds great. I don't know who here would not want to choose life if given a legitimate option. But really, if we take a step back, we can see that Nebraska, as a state, routinely does not choose life. Our Governor, who tries to import illegal execution drugs, does not choose life. Our state didn't when we voted to reinstate the death penalty this year. Today, in the Lincoln Journal Star, we learned that our Governor cut funding to children in need, the children who presumably would receive money from these license plates, as well as people with disabilities; that's not choosing life. We refuse to expand Medicaid, leaving Nebraskans to die in medical penury; that is hardly choosing life. And several officials on this committee accept money from the gun manufacturing lobby to push legislation that will put guns everywhere and drive up gun profits including, coming soon in the preemption bill, into Lincoln's domestic violence shelters, which is certainly not choosing life. So I would suggest a slight change to this license plate that may be a more accurate reading...would be "Force Birth, and Then Let Them Suffer and Die." Thank you. [LB46]

SENATOR FRIESEN: Would you see if there's questions? [LB46]

AMANDA GAILEY: Oh, sorry...questions. [LB46]

SENATOR FRIESEN: Any questions from the committee? Seeing none, thank you for your testimony. Welcome. [LB46]

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KATE SPEICHER: (Exhibit 8) Thank you. And I apologize for clapping; I've never done this before. [LB46]

SENATOR FRIESEN: Um-hum. [LB46]

KATE SPEICHER: Don't know your rules. My name is Kate Speicher, K-a-t-e S-p-e-i-c-h-e-r. Okay? [LB46]

SENATOR FRIESEN: Yeah. [LB46]

KATE SPEICHER: I oppose LB46, Choose Life License Plates, which proposes to advertise for the state of Nebraska the position that abortion is morally wrong. Forcing a child to bear a child which is the result of rape, be it from a stranger, brother, father, or being pimped by someone involved in sex trafficking, is cruel and inhumane punishment. Rape is an act of extreme aggression, torture, humiliation, and power. It can result in the pregnancy of the victim. We have incest and we have sex trafficking in Nebraska. And as with any business, the demand by men for sex with young women, girls, boys, creates a market for prostitutes, which results in children being forced into sex slavery and its consequences. No child chooses to be a victim of incest or rape. Women and girls have the added trauma and insult of unwanted pregnancy. Female children are not at a point of physiological development to complete a pregnancy without great stress to their own physical growth and development. What do we offer these victims in terms of medical and social assistance? What genuine care and help do we provide? If their family has failed to protect them, or their family consists of their pimp, what do we have in place to support and care for them beyond enforcing their pregnancy to full term? Today the Lincoln Journal Star reports that 74 jobs at HHS will be lost, which will impact the state's ability to assist children. What are the people who support "Choose Life" doing statewide to assist these children and their children, not only through pregnancy, but throughout the life of the child who is born? Requiring children who are victims of rape to endure a second rape by their well-intentioned, but poorly-considered, morality avoids the practical implications of physical and mental health. What solutions do those who want "Choose Life"...what do they offer to care for these victims or stopping this violence? The infliction of their view of morality is cruel; it is inhumane; it is abusive. License plates supporting the religious issue "choose life" reveal us to ourselves and to the nation as a state which does not separate itself from church, and as a state without tolerance and mercy. Nebraska will be seen as a place one doesn't want to live if one is raped and becomes pregnant. When I drive to Ohio where I grew up, people already have a narrow stereotype of me because they see where I live from my license plates. And I'll inject here, I have never seen a Choose Life License Plate anywhere between here and Ohio. Yes, it is provincial of them. But let's not make that provincial view of Nebraska even narrower and uglier by advertising one point of view which may, at first, seem loving but, in fact, is part of a terrible nightmare for some

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children. "Choose Life" is an abuse of children, not a prevention of child abuse. If the bright side of this bill is to fund a program for abused children, why not have a checkoff box on our income taxes and say: donate \$10 when you pay your income taxes? I'm too cheap to ever buy a vanity plate, but I'd certainly check off \$10 for this cause. Thank you all very much. [LB46]

SENATOR FRIESEN: Thank you for your testimony. Any questions from the committee? Seeing none, thank you. [LB46]

KATE SPEICHER: Thank you. [LB46]

SENATOR FRIESEN: Welcome. [LB46]

JACOB DAWSON: (Exhibit 9) Hello. Good afternoon, legislators. My name is Jacob Dawson, that's J-a-c-o-b D-a-w-s-o-n. It is incredibly unfortunate to have to meet you all again under these circumstances. Even 40 years after Roe v. Wade was decided, we are still discussing reproductive healthcare and treating women like they cannot be trusted. Yet again, we are taking what should be a private decision between a woman and a person who has...or a person who has a uterus and their doctor and refusing to let them own their own bodies. We understand that constitutionally you all have the right to remain as ignorant and uninformed as you want on reproductive healthcare. Last year, at a Planned Parenthood lobby day event, I witnessed firsthand Senator Tommy Garrett claim that D and E, meaning dilate and evacuate (sic: dilation and evacuation) abortions take 36 hours. I am 19 years old, I only have a high school diploma, I have no political experience, and yet it took me two seconds to find out that D and E abortions only take a half an hour. It is sad and it is scary, whether this was intentionally misleading or just a lack of effort entirely. While it is your right to feel the way that you do and to express it however you choose, it is unconstitutional to allow a pro-life license plate without offering a pro-choice alternative. It is unconstitutional to deny the sane individuals in this state the ability to express their opinion as well, an opinion that is backed not only by science and logic, but the law. This exact motion has been precedented: December of 2013...U.S. District Court Judge James C. Fox ruled against the law because: The State's offering of a Choose Life license plate in absence of a pro-choice plate, constitutes viewpoint discrimination in violation of the First Amendment. The state attorney general appealed. The U.S. Court of Appeals for the Fourth Circuit ruled, in a 3-0 opinion written by Judge Wynn of North Carolina. In a perfect world, these pro-life groups would actually do something instead of spending all their time harassing, blaming, and antagonizing women and people with uteruses. They would save the 140 million orphans worldwide, they would save the 15 million children in the United States living in poverty, they would save the 2.1 million American children living on the streets today. But it's not about the children, it's not about their safety and well-being; it's about controlling women and people with uteruses like they've done for centuries. Either give us pro-life license plates that



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say, for example, "Trust Women," "Respect Choice," and so on, with all the proceeds going to local Nebraskan Planned Parenthood, or don't allow these petty, insulting license plates in our state. Thank you for listening. [LB46]

SENATOR FRIESEN: Thank you for your testimony. Any questions from the committee? I don't see any; thank you. Next? [LB46]

JANET PRICE: (Exhibit 10) Good afternoon. I'm Janet Price, J-a-n-e-t P-r-i-c-e. Choosing life is a human instinct. It's part of our fight or flight response, and most of us experience that sensation at some point in our lives. So placing the phrase "Choose Life" on a license plate would seem to be harmless. Yet I believe there is an important subtext to that message; and that subtext is not harmless. In the U.S. there is a group who vilify the women who have had abortions or those of us who are pro-choice...who believe in a woman's right to determine what she does with her body. I believe the phrase "Choose Life" comes from this group who identify as pro-life. In response to this group's effort to imprint Nebraska license plates with their beliefs, I'd like to quote a Catholic nun, Sister Joan Chittister, who said, "...I do not believe that just because you're opposed to abortion that that makes you pro-life. In fact, I think in many cases, your morality is deeply lacking. If all you want is a child born but not a child fed, not a child educated, not a child housed and why would I think that you don't? Because you don't want any tax money to go there. That's not pro-life. That's pro-birth. We need a much broader conversation on what the morality of pro-life is." We don't need a license plate that reads "Choose Life;" we need one that says "Let's Talk." Thank you. [LB46]

SENATOR FRIESEN: Thank you. Any questions from the committee? Seeing none, thank you, Ms. Price. Any others who wish to testify? Welcome. [LB46]

EMMA CRAIG: Hi. My name is Emma Craig, E-m-m-a C-r-a-i-g, and I'm just reading off of my phone, because I don't have a printer. [LB46]

SENATOR BOSTELMAN: Excuse me. Could you speak up just a little bit? [LB46]

EMMA CRAIG: Oh, I'm reading off of my phone, because I couldn't print it out today. Okay. Good afternoon, everyone. These Choose Life License Plates are, frankly, ridiculous. Women won the right to a safe and legal abortion decades ago in Roe v. Wade, and since then, there have been relentless attacks on our ability to do so. These plates are another unnecessary attempt at trying to repeal this law. Secondly, how can we, as a state, even fathom adopting "Choose Life" when, in fact, our elected officials have chosen just the opposite? Our Governor, Pete Ricketts, has fought time and time again to keep the death penalty in Nebraska by spending tens of thousands of his own, as well as taxpayer, dollars to import euthanasia drugs...and when he sent

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state troopers to North Dakota to fight against Native Americans protesting an oil pipeline being put through their tribal lands and polluting their water. Also, like Representative (sic: Senator) Deb Fischer, who voted against the Affordable Care Act, which provided affordable care to thousands of hardworking Nebraska citizens. Or many people working minimum wage jobs, living below the poverty line. Nebraska has proven that it is not pro-life, from how many of its representatives are unwilling to help and support the hardworking Nebraskans already living here. Having a Choose Life License Plate in the state of Nebraska would be hypocritical, considering its highest ranking representatives ignoring the needs of those already born. Thank you. [LB46]

SENATOR FRIESEN: Thank you, Ms. Craig. Any questions from the committee? Seeing none, thank you for your testimony. [LB46]

EMMA CRAIG: Okay. [LB46]

SENATOR FRIESEN: Welcome. [LB46]

SUSAN REFF: Thank you. Good afternoon, committee members. My name is Susan, S-u-s-a-n, last name Reff, R-e-f-f. I am testifying in opposition of LB46. I'm a practicing attorney from Omaha. Part of my practice involves representing children in juvenile court whose parents have been filed on for abuse or neglect. Needless to say, I'm very familiar with the legal definition of child abuse. LB46 is attempting to fund the Nebraska Child Abuse Prevention Fund under the guise of a pro-life license plate. A lawyer...as a lawyer who has worked with more than 175 families to actually prevent child abuse, I couldn't be more offended by the disingenuous nature of this bill. This bill hides behind the Nebraska Child Abuse Prevention Fund to further a pro-life agenda. I think we can all agree that abortion is a divisive issue that can deeply divide. It is offensive to tie this real divide to something like child abuse that deserves no acrimony, no side-taking, and no political discord. Let me tell you a story of real, actual child abuse. A little boy here in Lincoln, Nebraska, lives at the People's City Mission with his mother. He is three years old. He is nonverbal because his mother does not understand the importance of talking directly to her child. He is hungry because his mother does not feed him nutritious food; he is seen eating food off the floor at the Mission. He is afraid to use the toilet because the bathroom is the one place of privacy at the Mission and this is where his mother slaps his face. He is developmentally delayed because his mother refuses to take him to special education classes that he needs. Finally, this little boy was removed from his mother's care for child abuse when she threw him against a brick wall. This little boy is now terrified to take a bath. At bath time he clings to his foster mother, crying and screaming that the water is too hot, when he hasn't even touched the water. No one knows the extent of the abuse this little boy suffered at bath time when he was with his mother but, clearly, he suffered. If this committee really wants to work to prevent child

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abuse, a license plate parading a pro-life mission is not effective. If this committee really wants to work to prevent child abuse, focus on funding Medicaid and other social programs. Oppose the proposed cuts to HHS. Fund the judicial branch. Stop the breakup of families from Draconian immigration laws. This body is facing a huge budget shortfall this session and, instead of focusing on actual methods of child abuse prevention, this bill is focused on a license plate with a message that has nothing to do with child abuse prevention. The little boy in the story is my son; we adopted him after his mother's parental rights were terminated. So while I am pro-choice, I am also pro-child. If there is room to support adoption from this committee, I would point out that adoption is a service provided by Planned Parenthood of the Heartland. I urge you to consider your priorities and oppose LB46. Thank you. [LB46]

SENATOR FRIESEN: Thank you, Ms. Reff. Are there any questions from the committee? Seeing none, thank you for your testimony. Welcome. [LB46]

KELSEY CONNELLY: Hi. Chairman Friesen and members of the Transportation and Telecommunications Committee, my name is Kelsey Connelly, K-e-l-s-e-y C-o-n-n-e-l-l-y, and I'm here testifying in opposition of LB46. I sit before you today as a 22-year-old woman, a member of a demographic that is directly affected by the language used on these license plates, a demographic that is also, very obviously, underrepresented in this committee. I urge you to think about the detrimental implications of a Choose Life License Plate. More often than not, women such as myself are let down by legislation put in place to weaken our capacity to make healthcare decisions regarding our own bodies; and these license plates would simply be a reminder. The passing of LB46 would act as an endorsement of a religiously biased political viewpoint on a complex issue that, as touched on earlier should, frankly, not be simplified to a matter of life or choice. What kind of message would it send to young women like myself if our own Legislature is allowing others in our community to use license plates to undermine our own human right to make decisions regarding our own bodies? I may just be one young woman brave enough to share her opinion in front of this committee, but there are many others like me that fill the classrooms of your universities, drive the streets of your districts, and vote in your elections. We are the future of this state; think about us today. Please do not pass this bill. Thank you for your time. [LB46]

SENATOR FRIESEN: Thank you, Ms. Connelly. Any questions from the committee? Seeing none, thank you for your testimony. Any others wishing to testify in opposition to LB46? Welcome. [LB46]

ANNE DeVRIES: Oh, I'm sorry. Go ahead, Nancy (inaudible). [LB46]

SENATOR FRIESEN: Welcome. [LB46]

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NANCY MEYER: Hi. My name is Nancy Meyer, N-a-n-c-y M-e-y-e-r. I'm here to testify against LB46 and, before I get started, I just wanted to refute a statement made earlier about the assertion that 20-some other states have such a license plate; and therefore, we should have one, too, is the implication. I find this assertion really, really irrelevant. And the reason I do is because, as any parent in this room would tell you, just because other people are doing it doesn't make it right. Okay. I'm not so much here to testify in my own words, but in Thomas Jefferson's. And this is a letter that he wrote 215 years ago, and this is part of it. He says, "Believing with you that religion is a matter which lies solely between Man and his God, that he owes account to none other for his faith or his worship, that the legitimate powers of government reach actions only, and not opinions, I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should 'make no law respecting an establishment of religion, or prohibiting the free exercise thereof,' thus building a wall of separation between Church and State." So I think that the license plate promoted by LB46 is a not-so-veiled partisan and religious statement and, as such, it should not be part of any legislation nor supported by any public funds. Anyone who votes to advance this bill is saying that Thomas Jefferson got it wrong with respect to religion and state issues. Now I respectfully submit that no one--no one in this statehouse today--not you, not me--should ever make that claim. Thank you. [LB46]

SENATOR FRIESEN: Thank you, Ms. Meyer. Any questions from the committee? Seeing none, thank you. Any others wishing to testify in opposition to LB46? If we can get a little bit better organized so that we can keep this moving rather smoothly, if we could. Welcome. [LB46]

LAURA ERICKSON: (Exhibit 11) Hi. I'm Laura Erickson, L-a-u-r-a E-r-i-c-k-s-o-n. I'm from Lincoln. I'm just, kind of, your quintessential like soccer mom. I drive my kids to tons of practices, and had to deal with childcare today since school was canceled. So I'm not here with any organization, but I am here today to testify against LB46. I have a couple of big problems with this bill. First of all, it is inappropriate for the state to take sides on such a divisive political issue as abortion through a license plate. The way for a state to take a side on a political issue like this is through legislation. The types of specialty license plates issued by this state fall into two categories: personal hobbies, like the Husker Plate or Ducks Unlimited; or interests or nonpolitical causes. "Choose Life" falls into neither of these categories. Other specialty plates that advocate for the nonpolitical causes are Breast Cancer Awareness and Mountain Lion Preservation (sic: Conservation), neither one of which is political or controversial. Allowing a license plate that takes a side on a contentious political issue is setting a precedent that you would have to follow through with. In order to be impartial, as the state should be in this context using license plates, you would have to allow other political causes to design license plates, as well--pro-choice, obviously, but also a host of other political causes that we cannot foresee. Further, it is just inappropriate for the state to take a stand through the means of license plates. The laws of our state say that abortion is legal. To have a state-issued license plate that clearly takes a stand against that law, is wrong. And one of the earlier testifiers made the point that

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license plates are a different, like more impactful, way to get the message of "choose life" across; that's exactly true. It is different than a bumper sticker or something like that because they are...it has more weight because it's licensed by the state. It implies that the state stands behind that message; that's just inappropriate. Second, the law of this language...the language of this law--excuse me, it's the first time I've done this...is hypocritical. Although the law as written states that: "The department shall create designs reflecting support for the protection of Nebraska's children," what the law obviously really means, but does not say, is: protection of unborn fetuses. Other people have made that point. If the plates were really meant to protect Nebraska's children, they would feature designs which dealt with gun control, child abuse prevention, fighting child homelessness--any number of other ways that we could make our children safer. As an example as a mother, I have to send...I should not have to send my children to school knowing that they practice armed shooter drills. But I do, because that is the world that we choose to live in. This license plate does nothing to combat that world where my children are unsafe. If we are going to fight that fight, I am all in. Instead, these plates are clearly meant to be anti-abortion plates. The design will make it clear that "choose life" means "choose life up until birth" or "choose the life of the fetus over the life of the mother." It is the epitome of hypocrisy to choose life until the child is born and then take no steps to make our state safer so that the child's life is not cut short by gun violence or other means. I urge you to reject LB46. Thank you very much. [LB46]

SENATOR FRIESEN: Thank you, Ms. Erickson. Any questions from the committee? Seeing none, thank you for your testimony. [LB46]

LAURA ERICKSON: Thank you. [LB46]

SENATOR FRIESEN: Welcome. [LB46]

JOHN FICENEC: Thanks for having me. My name is John Ficene, J-o-h-n F-i-c-e-n-e-c. Let me start off by saying that I am not against funds going to prevent child abuse. But do I have to be pro-life in order to be against child abuse? Too often nowadays I feel that the term "pro-life" is mistaken for pro-birth. If Nebraska was truly pro-life, then why did we keep the death penalty? Why did we fail to close Whiteclay? And why am I now hearing whispers that our Governor wants to limit our intake of refugees, when they add so much verve, spirit, and beauty to our wonderful city? We are not a pro-life state; we are merely pro-birth. The plates should instead reflect its stance against child abuse, because being pro-choice does not mean you are pro-abuse. Thank you. [LB46]

SENATOR FRIESEN: Thank you. Are there any questions from the committee? Seeing none, thank you for your testimony. [LB46]

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JOHN FICENEC: Thanks. [LB46]

SENATOR FRIESEN: Welcome. [LB46]

KATE HIGH: (Exhibit 12) Hello. My name is Kate High. First name is Kate, K-a-t-e; last name is High, H-i-g-h, and I am here today in opposition to LB46, a bill that would add a political statement regarding abortion on license plates. If a woman chooses not to carry a pregnancy through since she was infected by a Zika virus through a mosquito bite, who would blame her? The costs associated with caring for a Zika child are enormous, the emotional costs overwhelming. Let's not play politics with family decisions under these tragic circumstances. Please reject jingoistic political slogans on license plates. They only divide people further, as you can see from what we see today, and do nothing to help those who must face the most anguishing decision in their lives. Here are my reasons why I believe the state of Nebraska should show compassion and caring for those who must be forced to face the reality of bearing a child with microcephaly. Let's not use license plates as a cheap political stunt to shame women and further prevent a woman's right to choose. Number one: The federal Centers for Disease Control and Prevention recommend pregnant women not travel to any area where the Zika virus is spreading. On my notes I have here, there is a map showing instances of the states where the Zika virus is now active. The upshot is that pregnant women, or women able to bear children, should not travel in the United States. It is unreasonable to impose a travel ban on the entire group. It is unreasonable to believe all women who may be pregnant, or may become pregnant, can follow the guidelines about for not getting a mosquito bite 100 percent of the time. This is especially true for women whose employment requires them to be outdoors in the summer. Women in poverty often lack suitable housing with window screens to keep mosquitoes totally out of the house. The simple act of opening a door is enough for pesky mosquitoes to invade. It's a mosquito-borne disease. One of the things you can do not to get Zika is not get bit by a mosquito. Prevention is the key to avoiding Zika; wear shoes, shirt and shoes, long-sleeve shirts when you can. Also, applying mosquito repellent that contains DEET. The joy of pregnancy has become a wrenching exercise in risk evaluation for women who are pregnant and have contracted Zika. With nearly 1,000 pregnant women in the United States infected with Zika and the Centers for Disease and Control (sic: Centers for Disease Control) advising all expectant mothers to be screened for exposure, who will pay for the screening? Who will be...will it be included in insurance cost at no cost...health insurance at no cost? Are health departments equipped to handle this? Where women's health services of all kinds are less available and the Zika epidemic is most widespread, requests for medical abortions have increased dramatically. Even Pope Francis weighed in, suggesting contraception could be morally acceptable in the fight against Zika. I know that Pope Francis was quoted before, and we can quote him here. Zika typically causes few to no serious symptoms in adults, but the virus can attack the brains of developing fetuses, causing devastating birth defects. The best-known problem caused by Zika is microcephaly, a condition in which babies are born with abnormally small heads and, in most

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cases, incomplete brain development. The lifetime cost of treating a child with microcephaly is estimated to be more than \$10 million. Who can afford to bear a child that comes with a \$10 million price tag? Is the state of Nebraska willing to take up this cost? As with so many complicated, contentious issues, the devil is in the details. Simply put, if the state of Nebraska will not step up to eradicate the Zika virus and/or pay for the support and care for children with microcephaly, then each woman must evaluate for herself which choice she can live with. The math escapes me how many license plates with "Choose Life" would be anticipated in the state, but how much would that compare with the cost of one Zika child? I hate to put a child's life with a price tag on it, but I hear the money being changed hands here today and I think we need to add this to the discussion. Thank you. [LB46]

SENATOR FRIESEN: Thank you, Ms. High. Any questions from the committee? Seeing none, thank you for your testimony. Welcome. [LB46]

KAMRYN SANNICKS: Welcome. Good afternoon, Chairman Friesen and members of the Transportation and Telecommunications Committee. My name is Kamryn Sannicks, K-a-m-r-y-n S-a-n-n-i-c-k-s. I am testifying today in opposition of LB46, which creates a Choose Life License Plate. You'll have to bear with me; I have a little bit of a cold still lingering. I have e-mailed a copy of my testimony and you should've received it by now. As a young woman, college student, and participating member of her community, I am here before you today to encourage the committee to spend its time on more important issues. I believe it is vital to have a government that, as a whole, that is focused on the real issues that impact our daily lives and have thoughtful debate on how to improve our state. The creation of a Choose Life License Plate is not one of those issues. First, it furthers our state's unneeded interest in regulating a woman's options in her healthcare choices. Allowing for the potential passage of LB46 continues our state's history of passing intrusive legislation to undermine a woman's ability to make decisions regarding her health and well-being. Secondly, this bill creates more unwanted judgment to be passed on women who do choose those certain legal healthcare rights. If LB46 were to pass, it allows our government to take a heavily religious stance and not an objective one on this matter. Both of the aforementioned things serve as proof that the license plate is not the real issue at hand. The potential passage of this bill will not improve our state's well-being in any way. The potential implications of this bill are not needed and further waste our state's time if it is allowed to be debated on the floor this session. It is unnecessary for our state Legislature to take a stance on such a divisive issue in this manner, when instead we could focus on ways to improve reproductive healthcare for women and their families. There are plenty of ways for an individual to make their political stances known, if they wish. They can display a bumper sticker or a window decal, for example, both of which give the same exact effect as this Choose Life License Plate without involving the government's time, efforts, and resources. If child abuse prevention were truly the issue we wanted to address here today, it would be an appropriations bill which earmarked funds for that instead, not a license plate bill with a largely misguided message. I urge

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you to keep this bill in committee and allow our Legislature to focus on more important issues this session. Thank you for your time today. [LB46]

SENATOR FRIESEN: Thank you, Ms. Sannicks. Are there any questions from the committee? Seeing none, thank you for your testimony. [LB46]

KAMRYN SANNICKS: Thank you. [LB46]

SENATOR FRIESEN: Welcome. [LB46]

ANNE DeVRIES: My name is Anne DeVries, A-n-n-e D-e-V-r-i-e-s. I am here to oppose LB46 and point out some issues with this bill. While reading the bill, I wondered what the yet-to-be-decided design on the plate will be. Maybe a picture of an electric chair with the "don't" symbol over it, or maybe something less disturbing to the children--who will ask: What is that, mommy?--by showing a man behind bars to represent life in prison, which is a choice the jurors make. Then I read the plates are to go to support the Nebraska Child Abuse Prevention Fund. Oh, a picture of a hungry eight-year-old child that the state is not feeding properly would fit on the plate. I have a young daughter that could model for it; she looks abused when I don't let her eat ice cream after she has refused to eat what I cook. Then I read the bill will not give any money to the fund if the costs of making the plates are more than the income from those that are sold. We know that design and modeling fees for my daughter could be in the thousands, so I do not...and I do not expect many people will choose these plates. All the taxpayers in the state should be offended that these plates could become a burden to Nebraska. Now based on others' testimonies, we know that this is a political plate with a different purpose than those I have mentioned. It is not to make a statement that abuse should be prevented in Nebraska or that life should not be taken away from adults by the state executions, but rather a statement that the state wants to take away a person's choice to live their life the way they see fit for themselves. I find it very offensive this plate is being sponsored and paid for by the state, I pay taxes too. While I agree I would have to be against all plates that make any political statement, like a plate against the death penalty, I don't expect a "Choose Life, Not Death Penalty" plate to ever be presented as law. I am offended the political rhetoric on this issue is still going on by our elected officials. I find it rude, in the least, for elected officials to shame those they do not agree with. People that want to express they choose life have the legal right to do so now and can get personalized plates from the DMV already. But for the state to take a stand on a legal issue and shame others that don't choose life is reprehensible. It's a woman's choice, and their decision alone, to decide to have a legal abortion. It is not the place for the state or for anyone else to make the decision for them. When my daughter is old enough to understand that her state is trying to take away her right to choose, I know she will feel the disappointment even more than most. She will know that the state is trying to say that she does not count. The state is also saying she should have never



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born. What do I mean by this? When my husband and I wanted our second child, we got her as a result of an abortion. How can this be, you ask. We were told that it would be very easy to conceive soon after an elective abortion I had, and that came true. Then, if I had to choose life at my second pregnancy, we would have had a boy that would have been a burden to the state above an average child and would not have lived a full life. This would have meant my daughter would not have been born. No one should be telling me what to do with my body and my family. I chose to give my daughter life and I am very happy with that decision. Thank you. [LB46]

SENATOR FRIESEN: Thank you, Ms. DeVries. Any questions from the committee? Seeing none, thank you for your testimony. Welcome. [LB46]

SUE ELLEN WALL: Thank you, your...your honor (laughter). [LB46]

SENATOR FRIESEN: Oh, no. [LB46]

SUE ELLEN WALL: Old habits die hard. [LB46]

SENATOR FRIESEN: That's okay. [LB46]

SUE ELLEN WALL: Mr. Chairman and members of the committee, good afternoon. My name is Sue Ellen Wall, S-u-e E-l-l-e-n W-a-l-l. The group planning has helped us get through the major points, but I guess I'm here to point my finger at you, especially those of you who've been here before. Children have health issues, and the federal government has offered quite a lot of money, which Nebraska continues to refuse, and provide the Medicaid expansion for children. It would be a lie and false advertising for you to authorize a license plate that says "Choose Life" when you, indeed, have denied life and denied good health to the many children born in our state. And I would suggest that it would be a high-level of hypocrisy to do that. I must say I do appreciate the proponents of the bill making no bones about the fact that they are asking you to put a religious tenet on a state object that's required by law to be on each vehicle; and that this is not an appropriate thing. And I think I may not be the oldest person in the room who remembers the last time a government chose strongly to disavow a religion and began to massacre six million people quite efficiently. This is not something that's a two-way street or a door that opens both ways, and I strongly suggest that we leave the...I've always wondered why the religions want to hand so much of their work over to the state that are things that they should be wishing to do and to express their own views to their own adherence. You're sitting in the middle of a lovely city in this beautiful building, and every time you leave this building and you look up, out any door you leave, you are looking over the rooftops of children who are hungry. 45 percent of the children in Lincoln Public Schools live in poverty. I volunteer at my alma mater and the kindergarten teacher told me that one of the little girls came in after a weekend and she said...asked the child

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if she'd had anything to eat, and she said no; she said: my mom asked me to eat as much as I can at school. We do not need more children than we can feed, than we can provide healthcare for. I haven't noticed anybody raising the minimum wage for women, mothers...nor the kind of assistance. I keep waiting for America to have a childcare system as good as France's. I think we could afford it if it was a priority for us. The number of children we have, and when we have them, is a private decision between the woman and whomever else she chooses. And I would like to suggest that the intrusion of a religious tenet, clearly and openly offered, be denied and we pay more attention to taking better care of the children that we have. [LB46]

SENATOR FRIESEN: Thank you, Ms. Wall. Any questions from the committee? Seeing none, thank you for your testimony. [LB46]

SUE ELLEN WALL: Thank you. [LB46]

SENATOR FRIESEN: Any others wishing to testify in opposition to LB46? Seeing none, are there anyone wishing to testify in a neutral capacity on LB46? Seeing none, I will close the hearing on LB46. [LB46]