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FOLEY: [RECORDER MALFUNCTION] Thank you, Chaplain Stangl. I call to order the eighty-first day of the One Hundred Sixth Legislature, First Session. Senators, please record your presence, roll call. Mr. Clerk, please record.

CLERK: I have a quorum present, Mr. President.

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

CLERK: I have no corrections.

FOLEY: Thank you, Mr. Clerk. Are there any items for the record?

CLERK: Mr. President, confirmation reports from the Retirement Systems Committee, three separate reports. Senator Brandt offers LR254; Senator Kolowski, LR255; those two resolutions will be laid over. That's all that I have, Mr. President.

FOLEY: Thank you, Mr. Clerk. (Visitors introduced.) We'll now move to the agenda, General File 2019 committee priority bills, LB288. Mr. Clerk.

CLERK: LB288, a bill by Senator Linehan discussed last evening, Mr. President. (Read title.) The bill was presented by Senator Linehan, committee amendments were offered. When the Legislature left the issue, pending was Senator Crawford's AM1959 as an amendment to the committee amendments.

FOLEY: Thank you, Mr. Clerk. Senator Linehan and Senator Crawford, if you'd like two minutes each just to refresh us and then we'll jump right into the debate. Senator Linehan.

LINEHAN: Thank you, Mr. President; and good morning, colleagues. LB288 is an effort to fix a couple of things in the tax code that the committee has worked on. We've gotten it out here a little late. The first part of it was to-- last year when they did 1090 they missed this in the federal code, matching it with the Nebraska code, so now if your state SALT taxes-- state and local taxes are above \$10,000, I think we all know, you can't deduct them from your federal income taxes above \$10,000, that's your limit; but also because whatever-- didn't happen last year. Also, if your income taxes and your property taxes go above \$10,000, you can't deduct all your property taxes on your state income taxes. So that's the first part. The second part is corporate--

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corporations who do not have a location here in the state, but do generate revenue and income from Nebraska, we have not though, I guess we could have, but have not been tax-collecting revenue, collecting taxes from income they generate in Nebraska. We are going to try-- we are-- the bill would ask the Department of Revenue to start collecting that income over \$500,000. If they generate more than \$500,000, they would have to pay Nebraska income taxes. And we use that revenue to pay down the corporate rates so you could have parity between LLCs, S-corps, top individual rate and C-corps. So that's the effort I've been bouncing around for a long time, it's just figuring out how to pay for it, so we would have parity between all our taxpayers at the top right. Thank you.

FOLEY: Thank you, Senator Linehan. Senator Crawford.

CRAWFORD: Thank you, Mr. President; good morning, colleagues. So my amendment simply strikes the-- what we talked about last night is the SALT component of the bill. And so it keeps in the corporate income tax buy down and the franchise tax, which is important for us, if we don't do anything else, to make sure that we at least get the franchise tax in statute so that we're collecting that revenue from corporations that make income in our state. And the argument that I was making last night was a concern, two concerns, one about the fiscal sustainability of the SALT component, that it doesn't pay for itself over the long haul; and the second was just raising the question of where we would want to spend those revenues if we were to have those revenues available. Thank you, Mr. President.

FOLEY: Thank you, Senator Crawford. We'll now move to the speaking queue. We've got Senator Linehan, followed by quite a number of others. Senator Linehan, you're recognized.

LINEHAN: I don't know how much more time we're going to have to talk about this, but again I would like to thank the Revenue Committee, every member of the Revenue Committee for all their work this year on this bill, on LB289, and on the incentive bill. They worked really hard. Hopefully we've made some progress. I will commit that we're not obviously going to get this bill. I'm not going to take this bill three hours, and I still have hope we can work out a deal on the incentive package. And we will keep working all summer on the property tax issue and LB289. So I would welcome any other comments on this bill.

FOLEY: Thank you, Senator Linehan. Senator Crawford.

CRAWFORD: Thank you, Mr. President; good morning, colleagues. I just want to walk through some of the process that got us to LB288 in its current form. When we were working in the Revenue Committee, we divided up into subcommittees as well and we decided to have some folks work on the property tax components and some work on income tax components and

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divide up the work of it that way, and I happen to be on the income tax component team. And the package that we talked about pulling together included the two corporate pieces that we have in the package today, in LB288, so the franchise tax, making sure that we take advantage of the opportunity to raise revenue from corporations that make income in Nebraska, and buying down the corporate rate so that that paid for buying down the corporate rate. And then we had a few other components on the income tax side. And one of-- and we included the two "pay fors" that are in the bill now, but also included a third pay for that made the package fiscally sustainable. And with a third pay for, we could also include the military retirement bill. So the package that we talked about coming out of our income tax team was one that included three income tax pay fors and included the SALT component and the military retirement tax relief. So that was what we were talking about when it came out of our little subcommittee, when we huddled as a committee, that was also my expectation that we were still talking about that entire package. And then at Exec Session, when the draft came to us for the amendment, the amendment did not have the third pay for or the military retirement tax, and the fiscal analysis that we were shown in that committee meeting showed that this was not fiscally sustainable over time, that it was \$3 million short in the short run and not fiscally sustainable. So those were my concerns about voting for the bill. It was no longer fiscally sustainable, and no longer contained the military retirement tax break either. And, again, that raised questions about where we should spend this money if we are generating revenue as well. I actually have talked to Senator Linehan, we've talked off the mike about-- and she is committed to working on this bill over the summer-- over the summer interim as well. And so with that, I will withdraw my amendment and look forward to working on this issue over the interim.

FOLEY: Thank you, Senator Crawford. AM1959 is withdrawn. Continuing discussion, Senator Lindstrom.

LINDSTROM: Thank you, Mr. President; good morning, colleagues. First, I just would like to thank Senator Linehan and her work on, and the other members of the Revenue Committee. This, in five years, this is the first time that we really had a robust debate on a whole host of issues with regards to property tax, income tax, incentives. Oftentimes, in the last couple years, we haven't even been able to Exec and get some of the things to the floor. So, LB288 was one of the things we did, probably, last in this equation. As I looked at it, we had the two parallel bills, property tax and the incentives, going down the path. And this was one that we discussed in committee; probably didn't have the expectation of getting it done this year, but it did provide for some good debate and some good talk. And I think-- the members of the committee, again, I was one of the members tasked to look at the income tax portion of this. And I will remain committed over the interim looking at it next year and getting a resolution done. On the last day, day 80, I did put in a resolution and start looking at maybe a flat tax in comparison to some other states that do this. North Carolina being one that has updated some of their income tax provisions. One other aspect that I think will remain important and one thing we need to look at

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including into this, is Senator Brewer's LB153 dealing with the military pensions. It kind of gets lost in the shuffle a little bit, but we're one of a handful of states that still taxes the military pensions, still taxes Social Security income; with other states around us, some being-- not taxing income tax, South Dakota, Wyoming-- Iowa updated theirs in 2013. So, as we talk about being competitive and reforming our tax code, this is not a one-and-done 720 property tax; this will be an ongoing discussion, when next year and far into the future, long after we're all gone. So, I just want to, again, thank the committee for allowing us to have the debate. And like I said, I will remain committed to working on this over the interim to make sure that we find a compromising resolution. With that I would like to yield my time to Senator Linehan. Thank you, Mr. President.

FOLEY: Thank you, Senator Lindstrom. Senator Linehan, 2:45.

LINEHAN: Thank you, Mr. President. I'm going to ask the Speaker to put a Speaker hold on this until early next year, which will, as I understand it, will still hold the priority, and that will give us all summer and in the fall to work on it. I do-- I'm sorry I didn't get to everybody on the Revenue Committee this morning before, but this was-- kind of had to make a quick decision, and I didn't think anybody would mind not being here an extra couple hours. So, if the Speaker-- could I ask the Speaker a question?

FOLEY: Yes, you may. Speaker Scheer, would you yield, please?

SCHEER: Certainly.

LINEHAN: Do I understand that right, Mr. Speaker, that if we-- if you put a hold on this, then we can work on it over the summer, it would still be here next year, we'd have to get the 33, but we could bring it back then, right, and we would still have a priority?

SCHEER: Correct. The bill would still be alive, it still has its priority, but just as in any other case, in order to bring it back, you would have to show 33.

LINEHAN: Thank you, Mr. Speaker. So, and I also want to thank Senator Crawford and Senator Lindstrom and others who have brought up the fact, and Senator Brewer and Senator Lowe, on the military pension. We do-- as Senator Lindstrom said, we have got to really get serious about looking at income tax for people and trying-- and we need-- it's not like-- I don't think we have a choice. We have to stay competitive with the states around us. We border two states that have no income taxes. Iowa's taxes are less than ours. In metro area Omaha, Sarpy County, you literally have people-- all they have to do is go over a bridge to lower their tax rates considerably. So, it's

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an issue. And I look forward to working with everybody in the body this summer and in the fall to see if we can't find a way forward on this and other income taxes. Thank you very much.

FOLEY: Thank you, Senator Linehan. Mr. Speaker, did you have additional comments on this?

SCHEER: Just to clarify, Senator Linehan, you're asking for a Speaker's hold?

LINEHAN: Yes, sir, I am.

SCHEER: To facilitate that, Mr. President, I will put a Speaker hold on LB288 and we'll move on to the next item on the agenda.

FOLEY: Moving on to the next bill which is LB436. Mr. Clerk.

ASSISTANT CLERK: Mr. President, LB436, introduced by Senator Matt Hansen. (Read title.) This bill was introduced on January 18; referred to the Government, Military, and Veterans Affairs Committee. That committee placed the bill on General File with committee amendments.

FOLEY: Senator Matt Hansen, you're recognized to open on LB436.

M. HANSEN: Thank you, Mr. President, and good morning colleagues. LB436 has been chosen as the Planning Committee's priority bill and would create Nebraska's official Complete Count Committee for the upcoming 2020 census. According to the U.S. Census Bureau, Complete Count committees are volunteer organizations created by local and states governments and other organizations to increase awareness to motivate residents to respond to the 2020 census. They serve as state and local census ambassador groups that play integral part in ensuring a complete and accurate count of the community in the 2020 census. Complete Count committees bring community leaders and experts together to identify local actions that can be taken on the census. For example, the 2020 census will be conducted online and other states are looking at ways of proactively reaching populations with limited Internet access, such as those in lower-income neighborhoods and rural areas. This targeted outreach is vitally important to getting a complete count of every Nebraskan so that we ensure we do not lose out on federal funding that is allotted to Nebraska each year based on the census count. Some 300 federal programs use population figures to aid in the distribution of more than \$8 billion in federal dollars to states. A recent analysis by George Washington University found that Nebraska in 2016 received just under \$4 billion through such programs. That would mean each person missed in the 2020 census would cost the state approximately \$21,000 over the 10 years between census counts. The committee amendment, AM1601, changes the requirements in LB436 to incorporate permissive language to

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give the Nebraska State Data Center program the authority to organize the official state of Nebraska Complete Count Committee. The State Data Center program already works closely with the U.S. Census Bureau and is an official local source of census data. The committee amendment would also remove the fiscal note on the bill by removing the administrative burden from the Secretary of State's Office. I would like to thank the Center for Public Affairs Research at UNO who was the lead agency of the Nebraska State Data Center program. The Planning Committee already depends on the center's research expertise and the census and other demographic issues, so taking on this responsibility will be a natural fit. We are fortunate that they are both willing and excited to take on this work. The U.S. Census Bureau says that states should create a Complete Count committees to partner with the Census Bureau by either Executive Order or legislation. It provides the structure and support to engage the state stakeholders and encourage participation. The National Conference of State Legislatures has reported that 30 states have [INAUDIBLE], sorry-- 46 states have Complete Count committees in some fashion including through either legislation or Executive Order. LB436 is Nebraska's vehicle to create one this year and is likely our last chance to form one before it's too late, as the census is on April 1 of next year. Would like to thank Senator Vargas for designating this as a priority bill of the Planning Committee, and I'd like to thank the Government Committee for working with me, including Senator Brewer and all members, to have this advance from committee unanimous. With that, I would ask for a green vote of both the committee amendment and LB436. Thank you, Mr. President.

FOLEY: Thank you, Senator Matt Hansen. Before proceeding to the committee amendment, Speaker Scheer, you're recognized.

SCHEER: Thank you, Mr. President. Colleagues, I forgot to mention I do have to attend a funeral at 10:00 this morning, so I will be leaving in a little bit and I'll be gone for about an hour or hour and a half. So if you're looking for me, I will be gone for a little bit, but I will be returning, so you'll see my smiling face later. Thank you, Mr. President.

FOLEY: Thank you, Mr. Speaker. As the Clerk indicated, there are amendments from the Government Committee. Senator Brewer, you're recognized to open on the committee amendments.

BREWER: Thank you, Mr. President. I'd like to start by thanking Senator Hansen for his devotion to this bill. There were some concerns early on and he worked back and forth to make sure that those were addressed. It was because of that work that he put in that we were able to get to this point. LB436 was heard in the Government Committee on March 13 and there was no opposition to the hearing. It is a very basic task with this bill and that is simply that we get full representation that we are entitled to in Congress. Senator Hansen recently came back to us after

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some of the early concerns with AM1601 to address each of these concerns. And again, a special thanks to him and Senator Vargas. We voted 8-0 to advance LB436 with AM1601. With this committee amendment, the Nebraska State Data Center would be given authority to raise private money to operate a Complete Count committee. As I understand it, the language requested by the Census Bureau is to enable us to have a correct census count. The amended bill did not authorize any additional personnel or dollars, and it simply, again, helps us to make sure that we get full count and representation. I would ask for your green vote on AM1601 and your green vote on LB436. Thank you, Mr. President.

FOLEY: Thank you, Senator Brewer. Debate is now open on the bill and the committee amendment. Senator La Grone.

La GRONE: Thank you, Mr. President. I just wanted to rise and thank Senator Hansen for his willingness to work through the issues with this bill. I completely agree that a Complete Count Commission is a great tool that we can use to ensure that Nebraska's population is fully and accurately counted in this next census, especially with a state with such a broad rural population. I think that is important to have. So I just wanted to thank Senator Hansen for being willing to work on this to make sure we can do that without any additional cost to the state. Thank you, Mr. President.

FOLEY: Thank you, Senator La Grone. Senator Erdman.

ERDMAN: Thank you, Lieutenant Governor. Any of you ever watch GameDay on Saturday. There's a guy named Lee Corso. And when it gets down to the end, he has his pen in his hand and says, not so fast. OK? Here's the deal. This is one of those bills that the same thing happens if we don't pass it as if we do pass it. The Governor has the authority to do this, and the Governor will do this because it's in the best interest of the state. So what we do here is we have to make sure that we have something to do and we have something to talk about, and so we put together legislation like this. This is irrelevant. They're going to count every person that they possibly can in the state because it's best for the state revenue from the government, from the federal government, and it's in the best interest of the Governor to do this, and he will do this. But we, the Legislature, have to get involved in every issue, make every decision about everything that happens. That's what government does. This is an irrelevant bill. This bill should have never seen the light of day. And you need to vote red on AM1601 and LB436. I don't know how much more clear and plain I can make it. This is irrelevant. And maybe it's a little carryover from yesterday, but that was ridiculous being here until 11:45 last night. Let's get back to doing what counts and let this frivolous stuff like this pass out of the way. Vote red on this; it doesn't mean a thing to anybody anytime soon, and it never will. The Governor will take care of this. As I said, it's in the best interest of the state to have this done, and he will do that. Thank you.

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FOLEY: Thank you, Senator Erdman. Senator Vargas.

VARGAS: Thank you very much. This is important. So I just want to start off with that. I want to first thank Senator Hansen for his work on this and his diligence. This is an important issue. We have talked about this in the Planning Committee for the last couple of years and wanting to make it a potential emphasis. But instead, decided this is a better avenue to go about doing this. I also want to thank Chairman Brewer for his work in coming back and making sure that we are doing everything we can to eliminate the cost, make sure we are not doing some onerous mandating, which is why we allow the authority for somebody to do this and setting some guidelines. And then also, to other members of the Government Committee that gave us feedback to make sure this doesn't live beyond, there's a-- there's actual a sunset date, so this will end. If we want to bring this again in 10 years and we have a census, and keep in mind we do this every 10 years, we would then have to come back again. All those things were done to make sure we get to the place where this is what I deem to be a very pragmatic thing for us to do, given the urgency. So, I want to talk a little bit about this. I was happy to designate LB436 as a Planning Committee priority bill. Now, for those of you that don't know, this committee has spent nearly a decade working with the Nebraska State Data Center to project long-term population trends for our state over the next 50 years so we can better plan to meet the needs of people across the state and so we have a better understanding of how-- what we can do to prepare our work force to meet those needs. It is essential not only for the work of the Planning Committee, but more importantly for the future of our state to ensure that everyone who was living in Nebraska is counted for the 2020 census. It is essential. In order to meet the needs of future Nebraskans, we have to start planning now. We're actually behind the game. I think it's about 47, 48 other states have already begun and have had some sort of count committee. If not everyone living in our state is counted in the 2020 census, it could have drastic implications on our state for decades to come. It's even particularly important given the floods that happened recently and given some of our scenarios in terms of revenue [INAUDIBLE] over the last several years. Nebraska receives just under \$4 billion from data collected through 55 federal spending programs, guided by data derived from the 2010 census. These are our taxpayer funds making sure they come back to us to make sure they're meeting the needs of Nebraskans. Now, let me run through some of the federal funding that we receive as a result of the 2010 census that I want to make sure we don't get back to us because we're paying for it. Over \$1 billion in Medicaid funding; over \$120 million in federal Pell Grant program; just under \$8 million in block grants for the prevention and treatment of substance abuse; over \$78 million in state children's health insurance program; over \$320 million for highway planning and construction. I literally can go on, I won't, with each of the federal different funds that we receive from the census. However, and this gets a little bit to the point, if we do nothing and we continue on, things will just work out the way they are. In 2010, we under counted by about 1 percent and we lost about \$20 million. And that is a little bit of-- actually I think it's a little bit more. This is a pretty conservative estimate that we lost about \$20 million by under counting. I don't want to lose out



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on \$20 million that's taxpayer funds that can make sure to cover and reduce our potential over-reliance on the General Fund. In FY2015, it was estimated that each person missed in the 2010 census resulted in a loss of \$1,091. Colleagues, doing nothing is not the best option. Because every other state--

FOLEY: One minute.

VARGAS: --this is the competitive, every other state is doing more. And so they're becoming more competitive, and that will drive us to then potentially not get as much representation. So this is a \$1 million in federal funding that can go to SNAP, water and waste disposal systems for rural communities, and I can go on. We need to join the over 40 states that have a Complete Count Commission to stay competitive with them for federal funding and ensure that every Nebraskan is counted in the 2020 census. I urge your adoption of AM1601, LB436. This came out 8-0. It has no fiscal note. We provide the authority for an entity to do it, it's an authority we already work with. It will sunset, and it's sunset in language. Let's move on. Thank you for your support, and thank you to the support of the Planning Committee and the other members that have worked hard on this bill. And hopefully when we pass this, we can get a really accurate count, and then we will make sure we get every piece of federal funding that we deserve. Thank you.

FOLEY: Thank you, Senator Vargas. Senator Clements.

CLEMENTS: Thank you, Mr. President. I'm going to backtrack just a little bit to Senator Linehan's bill. I was wanting to speak about it. Being a tax preparer, I think it was the right thing to do. The tax changes we did last year did raise Nebraska income taxes by \$22 million. And I think the way she had worked out to make it revenue neutral to income taxpayers was a good approach. As I was thinking about it last night, late last night-- I was thinking, if we did not offset that \$22 million, that we should use it for military retirement discount exemptions. And I was glad this morning to hear that that had been considered and hope it will continue to be considered. Regarding this bill, I hope that in our count we make sure we identify United States citizens in our count, those who are voters. And I will urge the Secretary of State to include that in our count. So with that, thank you, Mr. President.

FOLEY: Thank you, Senator Clements. Senator Matt Hansen.

M. HANSEN: Thank you, Mr. President; and good morning again, colleagues. I did want to rise in continued support of LB436. We've put a lot of time and effort to it to make it a, kind of, very measured step. And kind of to the notion that it does nothing; no, it doesn't do nothing, it does one thing. It makes sure we have an officially designated Complete Count committee, which is

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something 46 other states have done and they're actively doing and it's something the United States Census Bureau recommends each state does is to have an official Complete Count committee. We, Nebraska, and with the help and insistence of the Government Committee have done a very measured step to give some sort of census experts we already have in our state and we already rely on for census advocacy, census outreach, and census data to give them the official title of the Complete Count committee. And they have told us that by getting the official title, the Complete Count committee, they do think that will help their work. They do think that will empower them to be more effective to potentially get some more access to private dollars to do some of those aspects to really increase their work. So it does that one thing is it promotes our group that's already going to do this on behalf of the state of Nebraska to give them this official title that the census department recommends that we give to someone. And just to Senator Vargas' point, other states, in terms of census counts, are already appropriating significant amounts of money to promote the census. This is something other states are going above and beyond at. I understand where we're at in Nebraska. That's not something I'm advocating for. That's not something I'm going to do. But when we see other states appropriating, you know, 10s and 20s of millions of dollars to make sure they have an accurate count in the census, we're, at the end of the day, competing with them for a lot of federal dollars that are just apportioned on a population count. And if they get 99.9 percent accurate count and we get a 99.897 percent accurate count, that's more money that they're going to earn back and probably recoup their investment. This is a cost-neutral way of us to empower our local census program-- our local census statewide data center to have a little bit of extra power in their advocacy and their outreach to do a little bit more with the census. So it does that one thing. It's a small measured thing. I'm really appreciative of the Government Committee for kind of letting me know what their standards were to get this out of committee and to working with me over the past-- and Senator Vargas, over the past two months to get it to that point where it come out unanimous with no fiscal note and advance to the floor clean. With that I would ask for your continued support of the Government Committee amendment and LB436. Thank you, Mr. President.

FOLEY: Thank you, Senator Hansen. Senator Chambers.

CHAMBERS: Thank you. Mr. President, members of the Legislature, with the care that was taken to bring this bill to us, with the cooperation of the different and differing groups and individuals who participated in it, I think it would not be wise to lay it aside. Now Senator Erdman said that the Governor will take care of this. I'm not a magician, but this is just an ordinary piece of paper. There's nothing that makes it stronger than a piece of paper. And what I'm going to do while it's in your sight is roll it up. This is a solid piece of wood. Now I'm going to take this piece of paper and show you how much trust I have in the Governor taking care of this in the way that it should be taken care of. The distance that I push this paper through this wood will demonstrate my level of trust. Well, enough said. Thank you, Mr. President.

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FOLEY: Thank you, Senator Chambers. Senator Groene.

GROENE: Thank you, Mr. President. Well, when I first read the title of this, create the Complete Count Commission and provide duties regarding to the census. I'm sitting there going, well, what are we going to do? Create our own census and then dispute what the United States Census does with our numbers verses their numbers, or what's the purpose of this? Then I read it and it's just a promotional campaign. My assumption, which I've been lived through a few censuses, the federal government will spend massive amounts of money advertising on the census to get the people to return their census forms and to not chase census people away from the door. They will do it. I understand the Secretary of State already gets some money from the U.S. Census Bureau to promote census participation. This seems a little redundant to me. And even if it's \$50,000 or \$60,000, I'm trying to figure out what the purpose is. Get ready for a lot of federal ads on TV about the census. This is a promotional campaign. And we have, well, Senator Morfeld has a group about voter rights, I think, and I'm sure he'll be out promoting it, and that's what he should do. League of Women Voters will be out there trying to get folks to do that. People take-- participate in the census. This sounds like government redundancy. It's a federal census every 10 years. It's not a state census. Let the federal government do what it does. Let them spend-- we have to balance our budget, so this \$60,000, or whatever it is, fiscal could-- is not money we can just print like the federal government to do it. I just don't see the necessity of this. I don't dispute that people should take part in a census, but sounds pretty redundant to me. A little bitty state of Nebraska, 1.9 million people really worrying about it, because those people who they are talking about who avoid the census, that will be the focus of the federal government's advertising campaign to get them to participate in it, the middle class always does and will do it. The people who think they're going to be tracked, you know the reasons. And I'm not talking about illegal aliens, I'm just talking about people who want to hide. They just want to live their lives and they don't want to be tracked. Those are the ones they're going to focus on trying to make them understand that this is private information if they take part in it. But this is redundancy, I mean, just redundancy, feel-good government that we think we're going to-- how many people do you think we're going to get extra, with this campaign, to fill out their census form? How many do you really think you'll get because we stuck our nose into it too? Five, 10, maybe 100 of them because they notice the little bitty ad from the state of Nebraska or whatever this group does verses the massive campaign the U.S. government is going to have on this thing. It's absolutely unnecessary, absolutely unnecessary; but it does feel good that we're going to get everybody counted. It's redundant. And a very small redundancy with a little asterisk mark on the bottom of the page that you might get five people to actually influence to fill out the form, the census. Thank you.

FOLEY: Thank you, Senator Groene. Senator Erdman.

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ERDMAN: Thank you, Lieutenant Governor. That was an interesting illustration by Senator Chambers. So, I have a comment to make about that. Some of you may have seen a movie called Dumb and Dumber. So, in one of the scenes, one of the guys goes to this young lady that he met and he asks her, is there a chance? Is there a chance that you and I can get together? And she said; no, I don't think so. He said, how about one in a thousand? She said; no, no. He said, what about 1 in 10,000? Nope, nope. What about 1 in a million? And she says, perhaps. He said, so you're telling me there's a chance. And so that was what I was hoping when Senator Chambers pushed that paper to that board. There was a chance that it could have went through. But saying that, there is no chance at all that I'm voting for this bill. Thank you.

FOLEY: Thank you, Senator Erdman. Senator Brewer, you're recognized to close on the committee amendment. He waives closing. The question for the body is adoption of AM1601. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

ASSISTANT CLERK: 39 ayes, 2 nays on the adoption of committee amendments.

FOLEY: AM1601 committee amendment has been adopted. Is there any further discussion on the bill? I see none. Senator Matt Hansen, you're recognized to close.

M. HANSEN: Thank you, Mr. President. I'll just close real briefly. I want to thank the body for their adoption of the committee amendment. I actually thought this bill was a really good example of how our committee process could work and would work. After the hearing, we-- I let the committee know this was going to be a priority of mine, something I wanted to advance this year, and took their temperature, got their perspective of it. And each member of the committee let me know what they needed to see in the bill. Each member of the committee let me know what I needed to do. And it took a little while and it took a lot of trips to Bill Drafting and Fiscal Office and do it-- to do it, but we got to a point where the committee amendment now removes the fiscal note. It's permissive language to give our already designated census experts a little extra power and a little extra authority. It's something that I think we can really do, just kind of a small step forward with no fiscal impact to the state to give groups who already advocate for the census a little extra authority to leverage some private donations and to work with the federal government just a little bit closer. With that I would ask for your adoption of LB436. Thank you, Mr. President.

FOLEY: Thank you, Senator Hansen. Question for the body is advance of LB436 to E&R Initial. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

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ASSISTANT CLERK: 39 ayes, 2 nays on the motion to advance the bill, Mr. President.

FOLEY: LB436 advances. Per the agenda, move to Select File, 2019 senator priority bill. Mr. Clerk.

ASSISTANT CLERK: Mr. President, LB209, the bill does have E&R amendments.

FOLEY: Senator Slama, let's move the E&R amendments first, please.

SLAMA: Mr. President, I move that the E&R amendments to LB209 be adopted.

FOLEY: Members, a number of you have punched your lights to speak. Can we move the E&R amendments first, please. Is there any objection to that? We'll move the-- the question for the body is to advance the E&R amendments-- to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Now we can move back to the regular order. Thank you, members. Mr. Clerk.

ASSISTANT CLERK: Mr. President, the next amendment from Senator Chambers, FA61.

FOLEY: Before proceeding to Senator Chambers introduction of the amendment, why don't we just take a brief update from Senator Albrecht and then we'll move to Senator Chambers' amendment of FA61. Senator Albrecht.

ALBRECHT: Thank you, President Foley; good morning, colleagues. LB209, with the committee amendment of AM1432 which becomes the bill, and Senator Howard's amendment, AM1524, were both strongly supported and have strengthened our present informed consent statute by providing information to women undergoing chemical abortions. Again, LB209 is about one thing and it's informed consent. Colleagues, I want to remind you that 55 percent of the abortions in Nebraska are medication abortions, those that begin by taking the abortion pill, mifepristone. I think that's basically what we have.

FOLEY: Thank you, Senator Albrecht. Now, we can move to the introduction of the amendment. Senator Chambers, you're recognized to open on FA61.

CHAMBERS: Thank you, Mr. President. These items that I'm offering are word changes. If you look at the amendment, which is numbered 1432, which would be amended, and that would become the bill, in line-- on page 1, in line 18, strike and show as stricken "unborn child" and

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insert the word, "fetus." Since we've been told that this so-called amendment to this bill deals with scientific material, then we may as well use scientific, accurate, biological terminology. The term is fetus. So, I would strike the word-- the two words, "unborn child" and insert the word "fetus." Then in line 20, I would strike the term "child" and insert "pregnancy." You do not carry the child, so called, to term; you carry the pregnancy to term. But since we know that this bill is merely a piece of propaganda, that it's the first link in a long chain, which those support it, hope that they can fashion, they're not concerned about any use of language; they're not concerned about being accurate. They want to make it as onerous a process as they can for a woman to obtain an abortion and for a physician to perform one. It is insulting. It is demeaning. It is patronizing for a legislature filled with non-medical people to lecture in statute physicians on what steps to take to carry out a procedure. Putting such things in this bill as requiring a person involved with the carrying out of the abortion, the advisory that the father of the child can be made to pay support, even if he was the one who wanted the abortion to occur. Why put that in there? I think this is one of the worst pieces of claptrap that has been brought by these so-called and misnamed pro-life people. They are not pro life in any sense of the word. They support the death penalty. They are not supportive of programs that will minister to the mentally disabled or to the physically disabled or to the elderly who are impoverished. They don't care about life. They couldn't care less. This is strictly propaganda of the worst kind and the lowest order. It demeans women and gives the impression that a woman takes no more thought about deciding to have an abortion than she would take to decide what broach or necklace she's going to wear with the one piece sheath, blue dress. What should I wear with this blue dress? Should I wear something red as a necklace? Then something white as a bracelet, then I can be a walking flag. Women are complicit in some of this demeaning of women because they have no self-respect anyway. They have been dictated to. They have been commissioned by, and they're accustomed to jumping to carry out the orders of males. When you look at all of this trashy, crazy legislation, so crazy that a demented man like President Trump sees problems with it. Women played a heavy-handed role. In one of those backwards states, it was a female who wrote the legislation. She didn't write it. It was put together and she signed it, as happens in this place. An elderly female who was elected governor signed the legislation. So women have been co-opted. When I read from a rhyme I'd written the other day, I named some of the iconic traitors, the sellouts, the betrayers, and they always were connected to the group they betrayed. Were that not the case, they couldn't be called a traitor or a betrayer. If you are a traitor, you are violating the allegiance that you owe to your government, people say. But you don't owe allegiance to a government. You don't owe allegiance to a flag. It is a country the principles that it stands for and things of that nature. So when you look at the slipshod language, not only in the bill that Senator Albrecht brought to us, but that exists in statute now, it provides a low point in legislating. If it were presented to a class of, let's say ninth grade kids, the first year of high school, and they understand grammar, and they were told to grade it, it would get a failing grade. The language is bunglesome. They don't know the difference between, well, I won't go into that because they're the ones for whom my words are intended, but they wouldn't understand them any better than

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they understand what they're presenting to us. Will this bill pass? No question about it. It's just like the Nazi propaganda when the people saw Hitler raise his hand and act like he's swatting a fly. They would do the same thing. They would extend the arm with the fingers mashed together, hand like an extension of the arm, and if they were to say Heil Hitler, they said it all in unison. So called pro-lifers march in lock step when it comes to a zygote, an embryo, or a fetus. But some of the loudest Yahoos on this floor who support this kind of trash legislation are the same ones who are opposed to bills that have been before us that would recognize the humanity of fully-grown, fully-developed human beings. The SNAP provision that would have helped people who were released from prison get a foot on the ground was defeated. And that was defeated in the worse way. There were four senators, among the four of them had either voted for that to get it out of committee or had worked to fashion what they called a compromise, but which was really a shell game and a con that was worked on Senator Hunt. And they didn't vote for it when time came to vote. When we talk about members of the LGBTQ community, who are human beings, there was an unwillingness to give them protection when it came to employment and other privileges. Other, they're called rights that a citizen of this country should have. Pro-life? Nonsense.

FOLEY: One minute.

CHAMBERS: That is how you can judge the sincerity of these people. And before we get through today, I have a long rhyme that I wrote about a juvenile court judge who had been on the bench for 20 years, but he resigned because he had to participate in that judicial-- you can call it bypass, so a young girl who wanted to get an abortion didn't have to go to her parents, one of whom may have impregnated her, in order to get permission to have an abortion. And you know what caused him to be in that plight? The so-called pro-life people on the floor of the Legislature. And they considered this judge one of theirs because he was supposedly pro-life also. But his principle led him to resign rather than to carry out that requirement of the law.

FOLEY: That's time, Senator.

CHAMBERS: So-- thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. We've got a dozen or so members in the speaking queue. Senator Hunt, you're first.

HUNT: Thank you, Mr. Lieutenant Governor. I have done a really careful job of trying to make sure that my argument here is about the bill and not about morality of abortion. It sounds like we might have that argument next year instead, and you all are not going to know what hit you when we get into that type of argument. I know this is passing. I've done everything I can. I've

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distributed all the information I can. I'm taking all the time on the mike that I can to explain why this bill is not about informed consent, it's about fooling women. It's a model bill from the religious group, Americans United for Life, that was based on one paper that was done without any scientific integrity by a family care physician in California, that has not been replicated. The handout that I distributed today explains that clearly that a recently published article in the New England Journal of Medicine found that in the largest randomized controlled trial to date, progesterone therapy administered during the first trimester for patients at risk of miscarriage did not result in a higher incidence of live births than placebo. I'm saying that if we're going to put something in statute that there is a medical treatment that works, we need to have evidence that that's true. And right now, that's not what we have. So what this bill would do is put into statute that instead of these women who may regret their abortions, who may want to change their mind about that, who I care about very much, who I have huge compassion for, I think all of us share that, that they're going to be referred to a list of clinicians. So what's the list of clinicians? Well, we asked DHHS and they told us that it would be a list of clinicians recommended by this organization called Abortion Pill Rescue. So what's Abortion Pill Rescue? It's a religious organization. So that means that if we pass this bill, our state will be sending patients to a religious organization. So that's a problem legally. Another thing I wanted to mention is that a big criticism that we've heard about my argument and a big question that the proponents of this bill has had is, well, this is about informed consent. And we don't know that doctors are telling patients about the effects of mifepristone. We don't know if we're telling them what's going to happen if they don't take misoprostol. All of us, you know, medical experts in here really think that we know best for patients, and all these doctors who go through all this training and they provide one of the most controversial, the most controversial medical procedure in the world, that they're not closely watched and closely monitored and totally doing this procedure legally and safely. I also received a letter from abortionclinics.org and they're based in Bellevue, and they perform about 40 to 50 percent of the abortions in Nebraska. And they wrote a letter stating that all of their patients are given all the information about what will happen if they don't take the second pill, which is that they may continue the pregnancy. So once again, we see that there is just no evidence to support what we're putting into statute with this bill. I also want to read from the-- I have the committee transcript here from when this bill was heard in Judiciary, and Dr. Deborah Turner, who is also an abortion provider in Nebraska, she testified about the patients. They understand that if they take the one pill and they don't take the second pill, there is a large possibility that they may not or about 50 percent, I guess I should say, possibility that they may not abort the pregnancy. And it goes on. I have all these pages flagged of questions that she was asked by Senator DeBoer--

HILGERS: One minute.

HUNT: --just trying to get to the fact that: do you tell patients that if they don't complete the treatment that they may continue their pregnancies? And we heard from the Bellevue clinic; we



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heard from Dr. Turner who works at a different clinic. Yes, they already tell patients this. So the argument that this is about informed consent is bull. So who started Abortion Pill Rescue, the organization that DHHS is going to be referring women to? It's George Delgado, the same quack who did this unethical study that this model bill is based off of. There is a market for abortion reversal kits that Dr. Delgado and his team will be selling to doctors based on his unethical study. And if we pass this bill, we've all now been conscripted to help him make money selling this kit to doctors that's based on pseudo science, that there's no evidence that it worked--

HILGERS: Time, Senator.

HUNT: --and we also know this can hurt women if we don't know the effects of the medication.

HILGERS: Time, Senator. Thank you, Senator Hunt. Senator Clements, you are recognized.

CLEMENTS: Thank you, Mr. President. I stand in strong support of LB209. And I previously had read an article from the Pro Life OB/GYN Association and they have updated a physician statement in 2019. I'd like to reference that. It references six medical papers that have recently been done and it says some women change their mind about abortion after taking the first drug of the abortion regiment. For those women, Abortion Pill Rescue offers a medically sound choice to attempt to reverse the effects of mifepristone and save their baby. The American Association of Pro Life Obstetricians and Gynecologists strongly supports efforts to require all women presenting for abortion to be given information about abortion pill reversal as part of informed consent prior to abortion. They go into the biological background. The most accurate study to date of 42,000 women demonstrated a four-times higher rate of serious complications from chemical abortions as compared to surgical abortion. The further along in pregnancy a woman is when she attempts a chemical abortion, the higher the complication rate. During the development of-- development of Mifeprex, the mifepristone brand name, it was clearly demonstrated that Mifeprex is a reversible blocker of progesterone. That means that if one blocks progesterone with Mifeprex, the Mifeprex blockade can be overcome by administering more natural progesterone which kicks the Mifeprex off of the progesterone receptor and nullifies the effects of Mifeprex blockade. This is the same scientific principle which is behind the use of an antitoxin for poisoning. If a poison acts by blocking a certain biological receptor and if the administration of another medication will remove the poison from the receptor, then it is clear that the antidote for the poisoning is to administer the drug which will remove the poison from the receptor. In the case of Mifeprex, the poison, the specific antidote is the natural hormone progesterone, which removes Mifeprex from the progesterone receptor. By giving a woman progesterone, the Mifeprex abortion can be stopped and the chance the baby surviving increase from 25 percent to 68 percent. For women who change their mind after starting a chemical abortion, the administration of progesterone can give her a real hope of saving her unborn child.

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To date, there does not appear to be any risk of birth defects to the unborn child from abortion pill reversal. An abortion pill reversal offers another reproductive choice for women facing the abortion decision. The short time available to rescue the baby-- this is me talking now, that's the end of the article, the short time available to rescue the baby makes early information extremely important. The informed consent in this bill is good medical practice. A woman should not have to find out later she could have continued her pregnancy if she had been told it was possible. I know a woman who took the abortion pill around ten years ago. Since then she's indicated her regret of that choice. This protocol was not known by her at that time. I wish she had been given this information--

HILGERS: One minute.

CLEMENTS: --to give her a chance to change her mind to save her unborn child. Thank you, Mr. President.

HILGERS: Thank you, Senator Clements. Senator Bostelman, you are recognized.

BOSTELMAN: Thank you, Mr. President. I want to read a story from Duray. It said: I found out I was pregnant shortly after ending a nine-year relationship. My ex wanted nothing to do with the child and suggested an abortion was as the best option. I never really identified myself as pro-life or pro-choice. I didn't want my child to grow up without a father; or worse, one that resented her. I also knew I wouldn't be able to live with myself going through with an abortion. However, the abortion pill seemed like an alternative I could live with. So we agreed that was the best option. He gave me half the money and I made an appointment for later that week, my seventh week of pregnancy. At my appointment, I cried and cried while filling out all the paperwork and thought about leaving several times, but I was scared. Scared to tell my ex I didn't go through with it, scared to be a single parent, and scared to just end someone's life. They brought me back to confirm pregnancy and asked if I wanted to see the sonogram. Much like the rest of the office, their equipment was archaic, I could see my uterus and dot that was supposed to be my baby. But it was a very grainy image. I went back to wait for my consultation. By this point, I could only back my tears-- I couldn't hold back my tears any longer. Woman who did my consult was likely the most compassionate person in the building. She went through a checklist with me, then stopped and said, honey, you don't seem sure about this. You have a couple weeks before the abortion pill was no longer an option. Why don't you take some time and think about it? And then she handed me an abortion brochure. She also reiterated that once I took the first pill, there was no changing my mind, otherwise I would have a dead fetus inside me. I agreed a few more days would be good. As I went to the reception desk to reschedule, the receptionist advised against it. She said I'd already been in the office for hours and almost finished. If I came back, I'd have to go through the entire process all over again. Mentally I was exhausted. So I went back,

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signed the release forms and paid and waited to see the doctor with tears in my eyes. Once I got into the exam room, he explained the process. Again, reiterating once I take the first pill, it cannot be undone. He asked me if I was sure this was what I wanted. Then he gave me something for nausea so I wouldn't throw up the pill-- so I wouldn't throw the pill up, as well as an antibiotic. I took the mifepristone. They gave me two prescriptions and four misoprostol tablets I was supposed to take on Sunday evening to complete the procedure. For the next two days, I reflected on what I was actually doing and Googled to find out what would happen if I didn't take the misoprostol or if other women who took the abortion pill were able to continue the pregnancy. That's when I came across the Abortion Pill Reversal, the APR hotline. Late Sunday afternoon about an hour before I was supposed to take the misoprostol, I called the APR hotline. I left a message and left it in God's hands. If someone called me back before I took the pills, it was meant to be. Shortly after the phone rang, it was Debbie from the hotline. She explained to me that as long as I'd only had taken the mifepristone, there was hope.

HILGERS: One minute.

CLEMENTS: She connected me with a doctor in my area who could start the protocol. A couple hours later, almost 50 hours after I had taken the mifepristone, I took my first dose of progesterone. The next day I went to confirm the baby was still attached and she was. I ended up delivering a healthy baby girl at 37 weeks. I am grateful to say my daughter is a happy, vibrant 14-week-old and calling the APR hotline was the best thing I ever did. Thank you, Mr. President.

HILGERS: Thank you, Senator Bostelman. Senator Lowe.

LOWE: Thank you, Mr. President. I'd like to yield my time to Senator Albrecht.

HILGERS: Senator Albrecht, 5:00.

ALBRECHT: Thank you, Speaker Hilgers. And thank you, Senator Lowe. I just want to stay on task what LB209 is actually about here, and hopefully get into some more information about the scientific statements that have been made that I feel are inaccurate. LB209, as amended, requires that a woman be told that mifepristone alone is not always effective in ending a pregnancy. You may still have a viable pregnancy after taking mifepristone. You can change your mind if you want to continue a pregnancy after taking mifepristone. Information on finding the immediate medical assistance is available on the Web site of the Nebraska Department of Health and Human Services. All of these statements are medically and factually accurate. LB209 is one thing, it's about informed consent. There is nothing in this bill that restricts abortion in any way. Saying that LB209 stigmatizes and restricts abortion is not only untrue, it's irresponsible. As amended, LB209 only requires abortionists to inform patients that mifepristone alone is not

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always effective in ending a pregnancy. You may still have a viable pregnancy after taking mifepristone. This is entirely factual information that women deserve to know. I worked with local organizations to craft this bill specific to Nebraska's existing informed consent statutory framework for abortion. Suggesting that this bill is exposing the state to costly legal liability is nothing more than a scare tactic. Eight states now have similar laws: Arizona, Arkansas, South Dakota, Utah, Idaho, North Dakota, Kentucky, and Oklahoma; including three in the Eighth Circuit: Arkansas, South Dakota and North Dakota. Of those states in the Eighth Circuit, their laws have been challenged in court zero times. Arkansas' bill, which has an even stronger language than LB209, was passed in 2015 and in four years had led to no legal challenges. Response to the issues in law and medicine, as a peer reviewed professional journal published in dozens of countries, it has been cited in two U.S. Supreme Court Opinions, seven state Supreme Court Opinions, and at least 14 state and federal court of appeals, and more than 1,100 law review articles. It is anything but a hack journal. Your attacks seem to be directed at an earlier study which was no more than a collection of antidotes involving six women from 2012 which is not the relevant study for this conversation. The relevant study for this conversation is Dr. Delgado's 2018 study, which involved 754 women and was reviewed and approved by an institutional review board. LB209 has broad support, including from doctors and nurses in the state of Nebraska. It gives women hope and control over their own medical treatment. When a woman goes in for an abortion, as with any type of intervention involving medical professionals, she deserves to know the risks, the benefits, and the alternatives available to her. LB209 does not mandate treatment or require--

HILGERS: One minute.

ALBRECHT: --or require physicians to give their patients inaccurate information. It informs women of all their options so that they can make their own choice. LB209 would require that a physician provide all relevant information to a woman who is contemplating whether to abort her unborn child, including the information she will need to get help if she changes her mind. Thank you.

HILGERS: Thank you, Senator Albrecht and Senator Lowe. Senator Cavanaugh, you are recognized.

CAVANAUGH: Thank you, Mr. President. I'd like to reiterate that I, when we talked about this on General File, that I very much appreciate that this is a labor of love for Senator Albrecht, though I don't support this bill, I know she has worked very hard on this and she has worked very hard with a lot of different people in this body to make this bill a stronger piece of public policy. I'd like to talk about some of the amendments that are sitting on this bill right now that I think are really important. And I hope that we can get to a vote on them. Senator Chambers'

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amendment, so this bill opens up an area in statute that was put in, I think, probably in the early 2000s, was about when this happened, and it's riddled with some bad language. It's not really legislative language. And Senator Chambers' amendment cleans that up. So this is a great opportunity to take some language that is not medically accurate terminology and to fix that, because I think that's important for our state statutes to reflect that information. It doesn't change anything about Senator Albrecht's bill or really anything about the statute. It just cleans up some language that is not medically accurate. So I appreciate that. And I hope that we can have a vote on this amendment instead of continuing to debate it, because you either agree with changing the terminology or not. Senator Blood has an amendment coming up, and I know she will speak to it. I hope we can get to that amendment as well. I think it does something really important for nursing mothers and I've been sitting here looking up some of the nursing equipment that I have, and if anybody is curious about it, you are welcome to come by my desk, 'cause it's here. But I currently-- well, when I purchased my nursing equipment, I paid taxes on it. So I paid \$5.60 in taxes, or I'm looking it up online, so approximately, on the equipment that is the pumping cups, and then \$11.13 in taxes on the actual pump itself. And overall, I spent \$280 on my pumping equipment, which is significant for me and my family, but important. And part of the reason that I bought these special cups for pumping is so that I didn't have to leave the floor to pump, so that I could do it more discreetly. I pumped in our hearing sessions, and so these are more expensive equipment. And I made a choice to do that so that I could be more actively participate in this legislative process without undue, sort of, disruption to everyone else around me. I was pumping last night when we had our late night, I was sitting over there. Most people I don't think even knew that I was doing that. And that was important to me, because pumping equipment can be very-- you have to, like, disrobe to use it generally. So investing in it to be able to do it in public and feel comfortable and confident was important to me. But I did have to pay taxes on it. So when we're talking about tax exemptions, that's something we might want to think about. Senator Wishart has an amendment on here, as well, that would require that the department's information that they share be medically accurate. And I know there's been an argument back and forth here as to whether or not that was necessary that we put that into statute. And I would argue that while I don't believe that this bill is necessary because the doctors already give informed consent--

HILGERS: One minute.

CAVANAUGH: Thank you. --to their patients, if we're going to be this prescribed of what doctors communicate to their patients, we should-- it should be equitable and we should be this prescribed in what the department communicates to women as well. And so, I'd just like to see us get to these amendments to vote on them one way or the other. If they fail, they fail. But I think that it's important that we at least consider making this strong public policy, even if we don't all agree with the underlying bill or the underlying amendment. So thank you, and with that I will yield my time to the Chair.

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HILGERS: Thank you, Senator Cavanaugh. Senator Chambers.

CHAMBERS: Thank you. Mr. President, members of the Legislature, I don't see Senator Albrecht, so on the chance that she might come back before I finish, I'd like to ask Senator Arch a question or two if he would respond.

HILGERS: Senator Arch, would you yield?

ARCH: Yes.

CHAMBERS: Senator Arch, so that you will know what I'm asking you about, on page 1, line 18, I would strike the word "unborn child" and insert "fetus."

ARCH: Yes, I see that.

CHAMBERS: Could you support an amendment like that?

ARCH: I would certainly consider that.

CHAMBERS: I couldn't understand you.

ARCH: I would certainly consider that.

CHAMBERS: Okay. Now the second one would be in line 20, strike "child" and insert "pregnancy" on the-- based on the argument that the pregnancy is what is carried to term, not the child.

ARCH: I guess I'd have to think more about that one. I have not heard that phrase, carry her pregnancy, but I--

CHAMBERS: You mean carry a pregnancy to term, you have not heard that expression?

ARCH: No.

CHAMBERS: Okay. Now, this is the question that might kind of put you on the spot and maybe it won't.

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ARCH: Senator Albrecht is here as well, but any way, go ahead.

CHAMBERS: Okay. Now, I had mentioned that there are people who do not stand behind what they say or what they do when they reach agreements or whatever. On that SNAP bill that Senator Hunt had, were you, in fact, one of the persons who worked with her to form or formulate a compromise?

ARCH: We had multiple discussions. Yes, we did.

CHAMBERS: So then the paper did not misrepresent when it said that you were one of those who worked to help put the compromise together?

ARCH: We had multiple discussions on that, yes.

CHAMBERS: Okay. And then when the time came to vote, you did not vote. Is that correct?

ARCH: I was not voting on that.

CHAMBERS: OK.

ARCH: Correct. Can I continue? Is that OK?

CHAMBERS: Well, all I wanted to be sure was--

ARCH: That's accurate.

CHAMBERS: --[INAUDIBLE] would not be inaccurate. And then on your time, I will listen, but mine might run out because Senator Albrecht, as you pointed out, is back. Thank you, Senator. Senator Albrecht, have you had a chance to look at my amendment and see where it would be found in the bill?

HILGERS: Senator Albrecht, would you yield?

ALBRECHT: Sure.

CHAMBERS: The first one would be on page 1 in line 18. Do you have it?

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ALBRECHT: I do.

CHAMBERS: OK. It would strike the two words "unborn child" and insert the word "fetus."  
Could you support that amendment?

ALBRECHT: I like it just the way it's written. So, no, I would not support it.

CHAMBERS: I couldn't quite understand you.

ALBRECHT: I said I like it the way it's written.

CHAMBERS: OK. So you would not support the amendment, in other words.

ALBRECHT: No, sir.

CHAMBERS: OK. Now, in line 20, I will ask you, have you ever heard the terminology,  
"carrying a pregnancy to term?"

ALBRECHT: I have.

CHAMBERS: What this amendment would do is to strike the word "child" and insert  
"pregnancy," so it says you "carry the pregnancy to term," not the child.

ALBRECHT: I like the language the way it's written.

HILGERS: One minute.

CHAMBERS: OK. That's all that I was asking. It's not to be argumentative. Thank you.  
Members, this shows how shaky they are because the terms that I am offering are medically and  
scientifically, biologically accurate. They are correct. But Senator Albrecht did mention that they  
had worked with local groups, and those are the groups that want to put ideology into the statute.  
They want to turn a piece of legislation into a propaganda piece. For those who have been around  
any period of time, and if they had paid attention, I've offered changes in wording in statutes that  
have nothing to do with abortion or any of the propaganda type presentations. And in those  
instances--



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HILGERS: Time, Senator.

CHAMBERS: Thank you, Mr. President.

HILGERS: Thank you, Senator Chambers, Senator Albrecht, and Senator Arch. Senator Slama, you are recognized.

SLAMA: Thank you, Mr. President; and good morning, colleagues. I appreciate that we're having another extended debate on LB209. I'd like to first reiterate that this is neither a propaganda piece nor us forcing our ideology upon Nebraskans. This statute-- I mean this bill with the committee amendment says merely: research indicates that mifepristone alone is not always effective in ending a pregnancy; you may still have a viable pregnancy after taking mifepristone. These are all backed by science, folks; all of these statements. If you change your mind and want to continue your pregnancy after taking mifepristone, information on finding immediate medical assistance is available on the Web site of the Department of Health and Human Services. This is an informed consent bill, end of story. But now I'd like to get into the 2017 statistical report on abortions in Nebraska, just to bring to light how many Nebraskans we lose each year to abortion. So I'll start out in the year 2000 where 4,178 abortions occurred. In 2001, 3,982 abortions occurred. In 2002, 3,775 abortions occurred. In 2003, 3,990 abortions occurred. In 2004, 3,584 abortions took place. In 2005, 3,173 abortions took place. In 2006, 2,927 abortions took place. In 2007, 2,481 abortions took place. In 2008, 2,813 abortions took place. In 2009, 2,551 abortions took place. In 2010, 2,464 abortions took place. In 2011, 2,372 abortions took place. In 2012, 2,299 abortions took place. In 2013, 2,177 abortions took place. In 2014, 2,270 abortions took place. In 2015, 2,004 abortions took place. In 2016, 1,907 abortions took place. In 2017, the last year for which these statistics are available as of yet, 1,958 abortions took place. If you're wondering what that adds up to in the years of 2000 to 2017, we lost a potential population increase of 50,905 Nebraskans to abortion. Now, there are different reasons for these abortions taking place. But just to put 50,905 lives into perspective, that equates to the fifth largest county in the state of Nebraska. Douglas County has a population of around 550,000, according to the 2010 Nebraska census statistic. Lancaster County has a population of 306,000 people. Sarpy County has a population of 175,000 people. Hall County has a population of 61,000 people. Those are the only four counties in Nebraska that have a larger population than the number of children that went unborn because of abortion in Nebraska between the years of 2000 and 2017; 50,905 abortions--

HILGERS: One minute.

SLAMA: --were conducted between 2000 and 2017; 50,905 lives were lost to abortion in a 17-year time span. Thank you, Mr. President.

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HILGERS: Thank you, Senator Slama. Senator Pansing Brooks, you are recognized.

PANSING BROOKS: Thank you, Mr. President. I just want to quote Ruth Bader Ginsburg who said the decision of whether or not to bear a child is central to a woman's life, well-being, and dignity. When the government makes the decision for her, she has been treated as less than a full adult responsible for her own choices. I am so concerned about what we continue to do, how we continue to thwart what is required and suggested within the book that I-- that guides my faith, the Bible. When we're supposed to deal with prisoners, immigrants, refugees, the poor, sick people, widows, all of those are specifically mentioned within the Bible. But boy, the minute we get to prison reform, Medicaid expansion, SNAP benefits, low-income housing, the earned income tax credit; well, we can give people 3 percent increase, but under the 529, we're going to give employers 25 percent tax credit because, you know, to heck with the poor. Juvenile justice issues, all of these things that have to do with direct mandates within my book of faith, every single one of those issues meets a barrier, every single one of those issues of taking care of the poor; over 2,000 verses about taking care of the poor. How about LGBTQ? How many times is that mentioned? Well, that's very arguable. It's six to seven. And Jesus mentioned it zero times. But 2,000 times on the poor. Where is all the passion and caring about the poor people, or once somebody is born, taking care of that child and helping that mother that you forced-- that you're trying to force her to go through? Some people want to force a woman to go through if they've been raped. But boy, the minute that child is born, to heck with it, it was the woman's problem. So thank you all for telling me how to care for my body and my healthcare and then running around hands up, oh, we can't do anything to help you once the baby is born. That's it. We're done. The guilty act happened. That stupid woman opened her legs, it was all her fault, we know that. Right? So again, the barriers and the way that we pick and choose and graze through the salad bar of morality and ethics in this body is just astounding to me. Two thousand verses on poor people, 2,000. How many votes have you made to help take care of the poor people in our state? How many votes have you made to actually pay dollars to help people lift themselves up and out of poverty? The earned income tax credit is a federal tax credit that is a bipartisan credit. We're at 10 percent and we're talking about possibly raising it a measly 3 percent. Check inside your heart about what you are doing for the people of Nebraska who are actually in need. And with that, I'd like to give the rest of my time to Senator Hunt. Thank you.

HILGERS: Senator Hunt, 1:02.

HUNT: Thank you very much. There is a lot to address here that's been said since last time I was on the mike. This thing in the-- this new language in the amendment that is the bill now, the research indicates blah, blah, blah, that's a factual statement. Yeah, that is a factual statement, no one is saying that. But the problem is where it gets unfactual is available on the Web site at the Department of Health and Human Services. Ok, what's going on the Web site? We don't have any information about that in statute. We don't have any guidance from DHHS except that they're

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going to be sending people to this religious organization abortion pill reversal, which is not giving people medically accurate factual information. So we can not put stuff in statute that's going to be sending people to a place where they get bad information. I've talked to so many physicians. I had them write you a letter. They testified at the committee hearing. I talked to Dr. Daniel Grossman who is the leading researcher on this stuff who is doing the right study to find the answer to this, and the question is what do you do if a woman changes her mind? The answer all--

HILGERS: Time, Senator.

HUNT: --of them give is we tell them to come in and not take the second pills.

HILGERS: Thank you, Senator Hunt and Senator Pansing Brooks. Senator Ben Hansen, you are recognized.

B. HANSEN: Thank you, Mr. President. I'm going to veer away from what I typically talk about on this subject when it comes to informed consent, my thoughts on abortion and just kind of read a story about a lady who went through this personally and the struggle she had and the decision that she had to make with reversal of using mifepristone. So I just want to read her story here if I could. And again, I won't say her name at all, but I just want to kind of read her story. So before I missed my period, I knew I was pregnant for the second time. All I could think was, this can't be real. There is no way I can raise two babies on my own. As soon as I saw the two lines on the pregnancy test, I contacted the father and he had no qualms about abortion. He actually preferred that's what I did. So I went and paid \$400 for two pills. As I was on my way to the abortion clinic, all I could think was this is my only option. I can't do this mentally, financially, or any other way. There is just no way. The whole experience while at the clinic was an out-of-body feeling. None of the other girls were emotional or anything. So I had to put a hard front on like none of this bothered me. When all I wanted to do was get up and yell at all these girls, including myself, and all I kept thinking was, what are you doing, over and over. They proceeded to give me an ultrasound and told me I was five weeks pregnant and showed me the baby. That's exactly how far I was when I found out I was pregnant for the first time. I still couldn't help but think this was my only option knowing it went against everything I ever believed in. Then they sent me on my way after taking the first pill with the prescription for pain because they told me it was going to be very painful. They also gave me the second pill that I was to take in 24 hours. As I left, I felt this heavy weight come over me knowing what I had just done would be on my conscience forever. I prayed and questioned what I had just done. When I arrived home, my mom knew instantly and told me every baby is a miracle. When I knew I had her support, I quickly went online to see if there was any way to undo the biggest mistake of my life. I just Googled away to reverse the abortion pill and found a hotline. I will forever be in debt to the amazing nurse who

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answered my phone call and assured me that I wasn't the only one who has felt this way. I was started on progesterone within five hours and continued that for three months. I worried what I had done would affect my baby. But my son, Malachi, was born September 3, 2018, perfect as can be. I thank God every day that I found that hotline. My son is now eight months, is already trying to walk. So it's stories like these and others that have been read and maybe even will be read more, but I think we need to all keep in mind whenever we make decisions like this, or legislation, that there are real people out there with real issues and this does really work. So with that, I will yield the rest of my time to Senator Albrecht.

HILGERS: Senator Albrecht, 1:30.

ALBRECHT: Thank you, Senator Hilgers and Senator Hansen. I just want to talk about this FA61, Senator Chambers' amendment. The bill the way it was written, that went through the Judiciary Committee many years ago, and that is what is in statute, and that is why I choose not to change it. It's been there for many years.

HILGERS: One minute.

ALBRECHT: And maybe today's verbiage is different than it was when it was written, but that was not something that I changed, that was part of the bill that was in statute. So I just wanted to clear that up. And we have a lot of time to talk about this. So rather than getting excited about too many things, I think we're going to go to some of the letters that we've received from different folks. I've probably had more e-mail on this particular subject than any that I've had in the three years now that I've been down here; and, obviously, mine are very positive. I didn't get very many negative ones. So I would like to just do a shout out-- I have a Native American that likes to contact me by letter, handwritten letter and also on the telephone. And he just wanted me to make sure--

HILGERS: Time, Senator.

ALBRECHT: I'll talk about that next. Thank you.

HILGERS: Thank you, Senator Albrecht and Senator Ben Hansen. (Visitors introduced.) Mr. Clerk, for a motion.

ASSISTANT CLERK: Mr. President, I have priority motion. Senator Hunt would move to recommit the bill to committee.

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HILGERS: Senator Hunt, you are recognized to open on your motion.

HUNT: Thank you, Mr. President. I was a little far down in the queue, and I have some stuff to say. So I'll withdraw this motion, but I needed to talk on a couple of things. This statute that we have that was written a long time ago, so there's no way we can change it 'cause this is just-- people before us decided to do that. I'm sorry, I'm here to change statute. I'm here to make life better for Nebraskans, and I think that we all need to have the political courage to do our jobs which is look at statute and say, what's wrong with this? When this was passed, what historically was going on? What were the biases and the beliefs that people had at that time? And how do we make this better to serve people today? So, you know, if this is about science and this is about reason and evidence, changing page 1, line 18 over and over in this whole thing, unborn child to fetus, that is too big of an ask for you? We are still in the same neanderthal mindset of the people who wrote that trash in the first place. Senator Bostelman's story that he read, I'm sure we're going to hear many more stories like this because anyone can make up a story, and I don't know if that one was made up, but I don't believe some of this stuff because that story didn't happen in Nebraska. And that patient would not have been allowed to get an abortion in Nebraska because doctors, as they testified in committee, as they've written letters about, and as is the standard that they're held to as professionals, doctors cannot give abortions in Nebraska to people who are not completely certain about their decision. Abortion has the highest decisional certainty rate of any medical procedure at 98, 99 percent. As I've continually said, that 1 to 2 percent of people, we care about them and we want to make sure that we're not giving them information that's not based on science that could hurt them. We don't have medical evidence that shows the effect of very high doses of progesterone on women who are seeking to reverse an abortion. I called the abortion reversal hotline 'cause I wanted to know what they're telling people. And I talked to a nurse and then I looked up the phone number that she gave me to call back and it's a phone number for a church in Colorado. That's where we want DHHS to send people? Are we going to vote on this and you guys don't even know what it is? I called them. It took me a minute. I looked up the number. That's where she told me to call back. I don't know why. I don't know if that's a clinic. I don't know if that's a crisis pregnancy center, but that's what the number was for. I'm still waiting to hear back from them about which doctor in Omaha could do this reversal procedure because I called 'cause I was trying to learn more about these kits that Dr. Delgado is selling. The nurse I spoke to on the phone said that they sell these kits to doctors. This is the same hotline that DHHS told Senator Wishart they would refer patients to should LB209 pass. So when somebody proposes a new treatment, the burden is on them to prove scientifically that it works. This is not like a he said, he said, she said between doctors, about what we feel in our beliefs can happen. You can believe whatever you want about abortion, that's not anything to do with the argument that I'm making today. But if we're not giving people information that's backed by a rigorous study that we can prove is effective, that we can repeat, that's validated with the scientific community, then there is not enough evidence for us to impose this on citizens. Yes, this language in statute that's new saying that it may not end your pregnancy if you only

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take the first pill. That is true. But we don't know that what DHHS is going to tell those patients is true, and that's on us. So you can live with that, I can't. And that's why I threw up this motion. It's really nice that pro-life obstetricians and their association believe this fantasy that abortion can be reversed. I thought that's no longer what the bill is about. But I think that if any obstetrician believes that and they're giving patients that information based on no science, this experimental treatment, they should lose their license because that's nuts. You know who doesn't support this? The American Medical Association, the FDA, they say this is crap 'cause it is. Senator Slama was talking about the Nebraska statistical report on abortions. Well, I've read this too. You know what it says? It says that the number of abortions has been going down. We should agree that's a good thing, right? Maybe it's because of the Choose Life license plates. Or maybe it's because people don't have access to abortion. We don't know if that's a good thing or a bad thing. We don't know if people are choosing to have fewer abortions or if they don't have access to them. What we do know from this report is that we can see that patients under 15 have gotten abortions. We can see the number and percent of total abortions by reason, which includes incest, no access to contraception, no contraception used, sexual assault; socioeconomic, they can't afford to have a baby right now. So I would ask the proponents of this bill, what are you doing to help those women who sought an abortion because of incest, because of sexual assault, because they can't afford to have a baby? Maybe those things like increasing the tipped minimum wage from \$2.13 an hour. You know how reasonable I was on that bill? I'm such a flaming liberal, I didn't want to, like, be reasonable in it. I didn't want to compromise or work on that. I think the minimum wage should be 15 bucks. I don't think there should be a sub-minimum wage. You all think that. But I was reasonable and I said, could we take it from \$2.13 to \$4.50? That was my first ask. No go, non-starter. Could we take it to \$3? No go, non-starter. Servers are some of the most well paid employees in Nebraska, so rich. Well, we know that servers are more likely to be women, they're more likely to be subjected to sexual harassment at work. They're more likely to be in poverty. And it looks like, according to DHHS in this research, a lot of women in poverty get abortions. A lot of women who survive sexual assault get abortions. So what are we doing besides putting little designs on our metal license plates that we screw to the front and back of our car to help these women and tell them that we support the life that they choose to bring into this world? We ask women to make the moral decision to protect life and then once they bring that life into this world and it's gay life, you can't have a job in Nebraska; we're not going to defend your right to have a job. And then when you're in poverty because you don't have a job, maybe you got caught with a joint once before, you won't be able to get SNAP. So then if you have to work a serving job to support maybe the family you do have, maybe just yourself, you're not going to be able to make a living wage at all. Oh, you need healthcare? We all voted to expand Medicaid. I worked hard on that initiative, but we're going to slow walk that and we're going to make sure there's a work requirement and there is tiered benefits. And then we stand up here and talk about work force development? My brain is exploding. We want people to move to Nebraska? Senator Murman said that he knows people who moved to Nebraska because it's conservative, because people want to live in a place where we have laws like this, and I-- there

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are a lot of very conservative states that folks can move to. There are some very regressive, trash abortion laws getting passed all over the country. There are states with a low sub-minimum wage just like us. There is other states with no Medicaid expansion just like us. But I'm looking toward the future. I'm a young professional in this state. I'm a single parent. I'm a bisexual atheist and I'm here in the Nebraska Legislature and I have the privilege of making laws for all the people in this state along with all of you who feel like they're not seen by us in here. I think it's wrong to make this argument about abortion.

HILGERS: One minute.

HUNT: I think that we need to stick to talking about the science and the merits of why this bill makes no sense. But I've talked to so many of you off the mike under the balcony who agree with me, but you cannot vote against this bill because then you'll be attacked by the pro-life lobby. So I guess that's how we do it here in Nebraska. I withdraw the motion. Thank you, Mr. President.

HILGERS: Thank you, Senator Hunt. The motion is withdrawn. Turning back to debate on FA61. Senator Halloran, you are recognized.

HALLORAN: Thank you, Mr. President; good morning, colleagues; good morning, Nebraska. Would Senator Hunt please yield to a question?

HILGERS: Senator Hunt, would you yield?

HUNT: Yes.

HALLORAN: Thank you, Senator Hunt. For the record, does Planned Parenthood support or oppose this bill?

HUNT: Planned Parenthood opposes this bill.

HALLORAN: Okay. Thank you, Senator Hunt. Colleagues, since Planned Parenthood and its supporters are the primary driver of the opposition of this bill, I believe we should review the roots, the foundation of Planned Parenthood. Margaret Sanger was the founder of Planned Parenthood. She promoted the philosophy and social movement of eugenics, e-u-g-e-n-i-c-s, that argues it is possible to improve the human race and society by encouraging reproduction by people or populations with desirable traits, termed positive eugenics, and discouraging reproduction by people with undesirable qualities, termed negative eugenics. Another renowned practitioner of eugenics, the development of a super race, was Adolph Hitler. Margaret Sanger

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preached the gospel of, quote, race improvement and denounced what she called, quote, human weeds and morons and idiots and imbeciles and dead weight of human waste, end of quote. She took that message to some outrageous audiences. In May 1926, Sanger spoke to the women's chapter of the KKK, Ku Klux Klan, in Silver Lake, New Jersey, which she wrote about on page 366 and 367 of her 1938 autobiography. Yes, the Ku Klux Klan. The founder of Planned Parenthood accepted an invitation to and spoke to the KKK. She was a smash hit. A direct quote from 1938 autobiography describes her invitation to talk to women's branch of the Ku Klux Klan, quote, always to me, any aroused group was a good group and, therefore, I accepted an invitation to talk to the women's branch of the Ku Klux Klan on Silver Lake, New Jersey; one of the weirdest experiences I had in lecturing. If someone came out of the hall, I saw through the door dim figures parading with banners and illuminated crosses. I waited another 20 minutes. It was warmer and I did not mind so much. Eventually, the lights switched on. The audience seated itself and I was escorted to the platform, was introduced, and began to speak. Never before had I looked into a sea of faces like these. I was sure that if I uttered one word such as an abortion outside the usual vocabulary of these women, they would go off into hysteria, her own words. And so my address that night had to be in the most elementary terms as though I was trying to make children understand. In the end, through simple illustrations, I believe I had accomplished my purpose, a dozen invitations to similar groups for profit, end of quote. She apparently impressed the KKK. Do liberals complain about this today? No. Liberals revere Sanger. If there was a progressive Mount Rushmore, they would have long ago chiseled Maggie's mug on the mountain. Hillary Clinton glows that she is in awe of Sanger. She said so in 2009 upon receiving Planned Parenthood's highest honor that year, it's coveted Margaret Sanger award. Likewise in awe was Nancy Pelosi when she proudly accepted the award in 2014.

HILGERS: One minute.

HALLORAN: Speaking to Planned Parenthood a year earlier, Barack Obama, America's first black President, hailed the organization founded by this racial eugenicist committed to creating a, quote, race of thoroughbreds and purging America's, quote, race of degenerates. That phrase, creating a race of thoroughbreds, was beamed across the masthead of Sanger's birth control review. Writing in her birth control review in October 1991, Sanger celebrated, quote, today eugenics is suggested by the most diverse minds as the most adequate and thorough avenue to the solution of racial, political, and social problems. She lamented the inferior classes, the fertility of the feeble minded, the mentally defective, the poverty stricken classes, and she insisted that, quote, the most urgent problem today is how to limit and discourage the over-fertility.

HILGERS: Time, Senator.



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HALLORAN: Thank you, Mr. President.

HILGERS: Thank you, Senator Halloran. (Visitors introduced.) Senator Albrecht, you are recognized.

ALBRECHT: Thank you. Well, while I appreciate all of the debate going on today, I do want to talk about the hotline, and I think it's important that all of us understand that our Department of Health and Human Services, on any bill that we ask them to take care of, the state DHHS Web site refers people to national hotlines and public and private organizations who can assist with different issues, whether it be suicide, child abuse, disaster relief, down syndrome, many, many different issues are given to that particular department to work on. And I have faith that they are going to refer these folks to the right individuals, which is going to lead me into a very well-renowned doctor here in Lincoln, Dr. Plambeck, and his letter of support for LB209. He has practiced since 1991 and has delivered over 4,000 babies. In the state of Nebraska, it says in his letter, 55 percent of the abortions are medically induced. A medical abortion involves a two-step process and can be used up to 10 weeks of gestation. The first step involves giving the patient the mifepristone which blocks-- is a receptor-- a blocker, I should say. This causes the degeneration of the pregnant uterine lining. The second step is misoprostol, which is given one to two days later and causes the expulsion of the fetus. Fetus, I did say fetus, for those that are interested in that word today. Studies show that the first step, mifepristone alone, is 60 to 80 percent effective in causing an abortion. When the second step, misoprostol, is added, it's nearly 100 percent effective. The abortion pill, reversal protocol involves giving a patient multiple doses of hormone progesterone over several weeks as soon as possible after the mifepristone, but before the misoprostol is taken. The progesterone counteracts the anti-progesterone effect of the mifepristone thus potentially halting the abortion process of mifepristone. Research studies have shown that progesterone reverses the effects of mifepristone blockage. One scientific study shows a 55 percent pregnancy success. Current ongoing studies have preliminary success rates approaching 65 percent. Progesterone has been used safely in pregnancies over 50 years. Progesterone is used for many problems in pregnancy. For example, patients that are high risk for miscarriage are often treated with progesterone throughout the first trimester of pregnancy and it is used during the vitriol fertilization without harmful effects as well. I personally have been involved with six abortion pill reversals using this protocol. All six patients went on to deliver full term and healthy babies. One patient had a set of twins. It's a woman's right to have complete medical information regarding the medical abortion process so that they can potentially reverse their decision if they so choose. No woman should be coerced into continuing a medical abortion by not being fully informed. Physicians have an ethical and professional responsibility to provide patients this information. As a member of the--

HILGERS: One minute.

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ALBRECHT: --organization, medical association support offering abortion pill reversal to women who change their mind after initiating the abortion process. And, again, Dr. Plambeck, I appreciate him sharing his letter with us. We all do a lot of research behind what we're bringing to the floor and I think when you get someone from the Lincoln area, I think this is a very powerful presentation of where he's at on LB209. Thank you.

HILGERS: Thank you, Senator Albrecht. Senator Murman, you are recognized.

MURMAN: Thank you, Mr. President. I want to thank Senator Albrecht and the Judiciary Committee for bringing this bill out. I think it's a very important bill. This is pro-woman, pro-life, and pro-choice. Women have a choice to change their mind with this bill. It's a woman's right to have complete medical information regarding the medical abortion process so they can potentially reverse their decision if they so choose. No woman should be coerced into continuing a medical abortion by not being fully informed. Physicians have an ethical and professional responsibility to provide patients this information. Progesterone is a natural hormone that supports healthy development of unborn babies in the womb. In the abortion reversal process, a medical professional administers progesterone to counteract the effects of mifepristone. Making sure that medical health professionals provide all the information a patient needs to make a fully informed decision should be something that we should all support. Every woman deserves to be given all of the information she needs when making a decision, especially a decision that is going to end a life. Our state requires that a patient gives consent before undergoing medical treatment. The importance of informed consent should be standard medical practice in any procedure or protocol. Colleagues, I urge your support of LB209 and yield the remainder of my time to Senator Albrecht. Thank you.

HILGERS: Senator Albrecht, 3:00.

ALBRECHT: Thank you, Senator Hilgers and Senator Murman, thank you. I want to talk a little bit about the case study detailing the successful reversal of the effects of mifepristone using progesterone. And again, this is the Delgado study that is in the medical books. I'll talk a little bit about the background, the objectives, the methods, and the results and conclusions. So the background: some women who take mifepristone, a progesterone receptor, in order to terminate their pregnancies change their minds and desire to stop the medical abortion process. There are only two articles in the medical literature documenting the reversal of the effects of mifepristone. The objective is that we present and analyze a series of women who attempted to reverse the effects of mifepristone by taking supplemental progesterone to determine if the reversal of the effects of mifepristone with progesterone is possible and safe. Additionally, we compared different progesterone regimens to determine relative efficiencies. The methods: this is a retrospective analysis of clinical data of 754 patients who decided to attempt to reverse the

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medical abortion process after taking mifepristone but before taking the second drug in the protocol, misoprostol. We followed the patients who were given progesterone in an effort to reverse the effects of mifepristone and conducted statistical analysis to determine efficiencies of the different protocols compared to the control mifepristone embryo survival rate derived from the literature. The results: progesterone in high dose of oral progesterone were the most effective--

HILGERS: One minute.

ALBRECHT: --with reversal rates of 64 percent and 68 percent respectively. There was no apparent increase risk of birth defects. The conclusion, the reversal of the effects of mifepristone using progesterone is safe and effective. Thank you.

HILGERS: Thank you, Senator Albrecht and Senator Murman. Senator Geist, you are recognized.

GEIST: Yes, thank you, Mr. Speaker. And I'm just going to read real quickly a little bit about a New England Journal of Medicine study, so-- I-- we-- to Senator Hunt's point, may not have the specific evidence that she is looking for that shows that progesterone is the direct effective cause of reversing pregnancy. And there's some debate about that, which is what we're talking about. However, what we do have is medical evidence that progesterone is safe and effective in risky pregnancies. So, if you have taken a drug that is intended to make your pregnancy risky or void, then I think it's a logical conclusion that this study, which is published by the New England Journal of Medicine, so not a quack journal, and certainly one of the most respected journals in medicines. I think that we can look to this as evidence that progesterone can help risky pregnancies. And-- I don't want to read all of this. Let me just tell you what the findings were, because I don't-- it's told in an article in a story and I don't want to spend time reading just a story, because I know you're hearing all of that and people get lost in the story. So, I just want to tell you what the findings of the study were. And it says: although the study showed that not all women with early bleeding could be helped by taking the hormone, the benefits were greatest among women who had a history of recurrent miscarriages, which is three or more. Which if you happen to be a woman like that, this is a huge hopeful message. Among these women, and these were-- they did this study on 4,000 women, so if you know anything about clinical trials, thousands of people is a good thing. The more people in the trial, the better. Some-- let's see, there was a 15 percent increase in the live birth rate with 98 out of 137 women going on to have a baby compared with 85 out of 148 in placebo. So this was a subset of the larger set. So I'm not going to go into all the details of that, but to show that this study did show that there was an increased efficacy in live birth rates with those who used progesterone. So there is clinical evidence that this isn't quack science. And I kind of want to pivot to another thing that I think

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gets misunderstood, and I just have to speak from the heart on this because it's something that is important to me and kind of a lifestyle for me. And I want to say it as delicately as I can. I know that the perceived impression of many people who are not religious find people of faith to be judgmental and hate-filled. I would just submit to you that my experience has been completely opposite of that. Hopefully my life is evidence that it's opposite of that. I have great compassion for women--

HILGERS: One minute.

GEIST: --who have made this very difficult decision. And I say very difficult decision, whether they choose to abort or not, which is the reason that I'm compelled to help with crisis pregnancy centers, compelled to love people whether they think differently than me or not. I come at this not as a point of pointing my finger at women who choose this option, but to say, there is hope, there is a different choice, and if you choose that different choice, we want to make that evidently clear to you. And with that, I am going to relinquish the rest of my time to Senator Blood real quickly.

HILGERS: Senator Blood, 0:15.

BLOOD: Yikes. Will Senator Chambers yield to a question?

CHAMBERS: Yes.

BLOOD: Senator Chambers, do you plan on going three hours on your amendment?

CHAMBERS: I'd like at this moment to withdraw my amendment that's pending, having asked the two main people and they don't support it.

HILGERS: FA61 is withdrawn. Mr. Clerk.

ASSISTANT CLERK: Mr. President, the next amendment I have is from Senator Blood, AM1875.

HILGERS: Senator Blood, you are recognized to open on your amendment.

BLOOD: Thank you, Mr. President. Fellow senators, friends all, I'm glad I have more than 15 seconds. I bring forward today LB13 in the form of amendment AM1875. Now, I am aware that

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Senator Albrecht sees this as a hostile amendment, but I'd like refer it to every man and woman for himself on the last few days amendment. My intent is not necessarily to sink her bill, but to be frank, hers was the only one that came up in Select File that was germane to my topic. And although my bill is also about women and infants, Senator Albrecht was not interested in allowing me to amend my bill from the floor. So after the multiple pro-women, pro-science speeches on LB209, I thought it would be beneficial to add one sentence in state statute which is all my bill does to further protect Nebraska's breast-feeding women, one based on science that is pro-woman and pro-infant. And much like Senator Groene pointed out on Tuesday, this is yet another tool in our toolbox to help push legislation forward. AM1875 was originally a bill that had gone through a couple of different iterations. Initially it was designed to make breast pumps, associated supplies, and breast pads exempt from sales taxes, while also ensuring that mothers that are breast-feeding in any public or private location are exempt from Nebraska's public indecency laws. Now, after seeing the bill get tagged with a rather hefty fiscal note, because of the tax exemptions, I asked the Revenue Committee to attach an amendment that I brought forward that strips the tax portion but leaves in the public indecency exemption. Now, we all know that breast-feeding tends to be one of the topics, much like abortion, that still manages to stir controversy. Slowly, but surely, the states are passing broader laws to protect nursing moms. Now, as I explained to Senator Albrecht when I had begged her to please amend my bill under hers, all 50 states and the District of Columbia, Puerto Rico, and the Virgin Islands all have laws that specifically allow any woman to breast-feed in any public or private location. However, 30 additional states, the District of Columbia, Puerto Rico, and the Virgin Islands take it one step further and specifically exempt breast-feeding from public indecency laws. Nebraska is not among those 30 states, and I find that concerning. Now, I know Senator Albrecht passed out something from Chapter 20 that shows that you do have the civil right, as I just said, to breast-feed your child anywhere that you have the legal right to be. But that does not prevent someone-- if you look at state statute, if somebody is affronted by what you're doing, they can ask for you to be cited. That is not acceptable. That is not considered best practices amongst the breast-feeding community in the United States nor under NCSL and their breast-feeding movement. The laws across the United States are, frankly, a patchwork and I believe that needs to change. Breast-feeding may not be the right choice for all mothers, but it's definitely the best choice for all babies. Health professionals and public health officials promote breast-feeding to improve infant health. It's good science, it's pro-mother, it's pro-baby. LB209 is being touted as pro-women and pro-science and I want to be sure to share some science and the importance of my cause through a long list of medical and community professionals. So, I have provided all of you with some of the information given to the Revenue Committee on the day of the hearing. In that packet, you will note the quote from a pro-life advocate, Kathy Smith, who is also from Bellevue, who stated, please, Nebraska, do not chip away at the sanctity of life by taking away the very basic necessity of a meal. The most perfect meal that can be provided by his mother when a mother needs to go out in public to run errands, grocery shop, run older children all over town, a baby is going to get hungry, and his mother should not feel scared, intimidated, or ostracized for needing

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to provide this life-giving necessity. Breast milk contains antibodies that protects infants from bacteria and viruses-- science. Breast-fed children have fewer ear, respiratory, and urinary tract infections, they have diarrhea less often. Infants who are exclusively breast-fed usually have fewer healthcare visits, prescriptions, and hospitalizations resulting in a lower total medical care costs compared to never fed-- breast-fed infants. Breast-feeding also provides long-term positive effects for the mother, including an earlier return to pre-pregnancy weight and reduced risk of premenopausal breast cancer and osteoporosis. Again, more science. Now, you may be aware that Nebraska went through a period not too long ago where we were faltering when it came to supporting our breast-feeding moms. Now as a result, there's been a variety of successful efforts in our medical community and at the state level to move Nebraska forward to embrace the breast-feeding community. The bottom line is that breast-feeding is a beautiful and natural act. What can be more important than providing nourishment to Nebraska's next generation? We are building a healthier tomorrow when we support these efforts. Now, I have always found it a very interesting dichotomy that we're very vocal when we refer to Nebraska as a pro-life state but tend to pass over many opportunities to embrace this new life and their families. So when a mother is nourishing that child in a place where she has the right to be, we want to make sure that she need not fear that our antiquated laws may result in someone being offended and asking that she be cited for public indecency because they were able to see her exposed breast. Our public indecency laws state that if exposure is done with the intent of affronting a person, it shall be considered a crime. In other words, affronting means offending the modesty or value of a passerby. It's up for interpretation as we've learned when we hear the lawyers speak on this floor, how they can take one subject and turn it every which way, and I say that respectfully, sirs and madam. And if you read the comments on a KETV story this last winter in reference to a breast-feeding mom at Westroads Mall, you'll see that Nebraska residents have very different views about breast-feeding. Some compared it to public urination or airing out one's penis. Others demanded that all moms breast-feeding be covered by blankets regardless of the temperature or do it in private. It was made clear that there are some who may be offended and choose not to look the other way, but may ask for the breast-feeding mom to be removed, put on notice, or humiliated. That's not right. That is not what Nebraska is about. We're a pro-life state. As Senator Slama says, are you brave enough to support this? Do you got the guts to support this? This is just commonsense law. A breast is no different than an arm, a leg, a foot. Mary fed Jesus. The Pope encourages mothers to feed their hungry crying children in the Sistine Chapel during mass because it is a beautiful and natural expression of love and bonding. And as policymakers, we need to be sure that our legislation supports this natural act because it is what is best for Nebraska's newest generation. What a wonderful bipartisan statement we can make when we show our mothers that we see them, we hear them, and we appreciate them providing nourishment, love, and care for Nebraska's babies. Today when you vote green on AM1875, you are only voting to add the exemption for breast-feeding women to our public indecency laws. As we spoke this week about our limited work force, know that these young families look to relocate do look up laws in reference to their families. Nebraska is on the record as not being one

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of the states that exempts our moms from this potential humiliation. Even if we never have to depend on this statute to protect our mothers, it should be in place so that our citizens, who tend to be bolder and more polarized on these issues and our babies, these new Nebraskans and these mothers will know that--

HILGERS: One minute.

BLOOD: --they will never have to feel osterized-- ostracized, not osterized, ostracized by these people. Thank you, Mr. President.

HILGERS: Thank you, Senator Blood. Debate is now open on AM1875. Senator Briese, you are recognized.

BRIESE: Thank you, Mr. President; good morning, colleagues. Relative to AM1875, it is similar, I believe, to LB13 that was-- we heard in the Revenue Committee. And I was one of two members that didn't vote it out of committee and I'm not going to stand here and oppose AM1875. But I did want to comment as to why I didn't vote it out of committee. As I looked at the statutory language on indecent exposure, it just didn't look to me like it would apply to breast-feeding. And so we asked one or two testifiers there, one in particular, any examples of anyone being prosecuted under an indecent exposure statute for breast-feeding in public, and they said no; and essentially across the country, there wasn't any example of that having occurred. But anyway, I'm not going to stand here and oppose it, but just wanted to comment on why I was one of the, I believe, two senators that didn't vote it out. But with that said, I would like to yield the rest of my time to Senator Halloran.

HILGERS: Senator Halloran, 3:55.

HALLORAN: Thank you, Senator Briese. Returning to, and I don't want to belabor this, but returning to the history of Planned Parenthood, its founder and its founder's mission, earlier Senator Hunt passed around a legislative resolution, LR118, and let me read from the first whereas. Whereas, the 2006 Federal Bureau of Investigation assessment defined a white supremacist as a pro-white person who believes that the white race is superior to all other races and was created to rule them. White supremacists view non-whites as subhumans and usually refer to them in derogatory terms. I signed on to that resolution, but I find it interesting that Margaret Sanger used very disparaging words when she described what she considered to be underclass people, she referred to them as human weeds, morons, and idiots, imbeciles, and dead weight of human waste. Margaret Sanger said the following about her 1939 "Negro" project, a project established to control the "Negro" population. Quote: We do not want word to go out that we want to exterminate the Negro population in the minister as the man who can straighten out

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the idea if it ever occurs to any of their most rebellious members, end of quote; thus the support of individuals such as Al Sharpton and Jesse Jackson. The objective of the Negro project was to infiltrate the black community by presenting birth control then and abortion today as a health option for women to kill off the black race; kill them off by limiting the growth of the population by abortion and sterilization. They knew that some blacks would figure out their sinister plan, so it was decided by Sanger to take the plan to the clergy and charismatic members in the black community to have them deliver the death message to their congregation and constituents. Can we think of a local charismatic member in the black community? The 2010 census results revealed that Planned Parenthood, the nation's largest chain of abortion clinics, is targeting minority neighborhoods, part of the mission. Seventy-nine percent of its surgical abortion facilities are located within walking distance of African American or Hispanic-Latino neighborhoods. About 13 percent of the American women are black, 13 percent, but they submit to over 35 percent of abortions; mission accomplished.

HILGERS: One minute.

HALLORAN: Margaret Sanger's racist plan is working. So Planned Parenthood, founded by white supremacist, Margaret Sanger, is opposed to abortion reversal and is driving the opposition to LB209. I fully support LB209 and I encourage my colleagues to do the same. Thank you, Mr. President.

HILGERS: Thank you, Senator Halloran and Senator Briese. Senator Hunt, you are recognized.

HUNT: Thank you, Mr. President. Margaret Sanger was in fact super racist, but I always combat that point with-- by saying that if Planned Parenthood shouldn't exist because its long-dead founder was racist, then the United States of America shouldn't exist because our long-dead founders were racist slave holders. People who want to control the destiny of women's bodies will grasp at anything to delegitimize organizations that help women control their fertility. And I think that's really sad. James Madison wrote the constitution, but he owned slaves. So, does the slave owning mean that the First Amendment isn't valid? Some of the horrible things that Margaret Sanger stood for and believed does not invalidate the very important life-saving work that Planned Parenthood does today in 2019 for so many men and women and young people in our community. And at a time when so many of our colleagues support Turning Point USA, which is a white supremacist campus organization, and hire these students for their campaigns, it's a little bit rich to talk about rejecting racism in Nebraska today. No one is saying that progesterone isn't used on pregnant people. No one is saying that there aren't legitimate uses of progesterone. We're saying that this has not been studied for abortion reversal, so it is not caring for patients to give them a procedure that is unstudied. The journal that that study was published in is a junk journal. It's junk science. The journal doesn't disclose who its donors are. They don't



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disclose who does the peer reviewing. They publish anti-vaccine science. No reputable journal takes that journal seriously. And Senator Albrecht said that we all do research on what we bring to the floor, and because of the letter that she read from a local Lincoln doctor, she thought that that was a very powerful statement in support of this bill. Well, you know what I take more seriously than a letter from a doctor in Lincoln, a peer-reviewed, scientific, repeatable, ethically produced study, and we don't have that. And with that, I'd like to give the rest of my time to Senator Blood.

HILGERS: Senator Blood, 2:55.

BLOOD: Thank you, Senator Hunt, and thank you, proxy president. So, I wanted to address Senator Briese's-- I wanted to address Senator Briese's comments, who I respect greatly, and he has shared this with me off the mike as well. So, we don't always create laws after something happens; we create laws to protect people frequently. I have done that in a variety of ways since I've been a state senator. So what I want to do is refer to page 53 out of 76 on the transcript of the hearing for LB13 where we referred to the KETV article and the comments that were referred to to give you an example of how polarized people are-- polarized people are and how there's just a lot of people looking for a fight. And I don't want any breast-feeding woman to ever feel that she is less than, because she is doing her job nursing a child. And I'm just going to say John Doe on these names because I don't want to embarrass anybody. They're already out in the public, but I'm not going to add to that. So there was a John Doe who equated nursing a baby with taking a pee in public and wanted to know if he could do that too. He said he'd rather not have his young boys exposed to bare breasts. A little while later in those pages, you'll note that there's an Omaha woman who felt offended when people complained that she was nursing in a Omaha mall and a John Doe said that nobody wants to watch that, and if a man whips it out, he goes to jail. Where are the morals these days? If you go further, you'll see that another gentleman says, well, maybe next time I'll just whip my [BLEEP] out and uses the language I can't use on here without being bleeped, and say hey, it needs air. Another person says, gee, I wish I could show my, dot-dot-dot in public.

HILGERS: One minute.

BLOOD: And another gentleman says, that's right, keep them things under cover. If you want to act like a cave man, go to a zoo. On each one of those, and I'm only highlighting a few, they're very offensive. These individuals are entitled to feel affront by a woman feeding her child and if they feel affronted, they can call 911 and ask for that woman to be cited. I look forward to sharing more information with you on my next turn to speak.

HILGERS: Thank you, Senator Blood and Senator Hunt. Senator Hughes, you are recognized.

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HUGHES: Thank you, Mr. President. I yield my time to Senator Albrecht.

HILGERS: Senator Albrecht, 4:55.

ALBRECHT: Thank you, Senator Hilgers and Senator Hughes. Senator Blood, AM1875, we discussed it, you chose to do it anyway. That's where I don't find it a friendly amendment. I certainly care about breast-feeding, I care about women, but I really care about getting that baby here first before they get to make a choice on breast-feeding. It's come to my attention that your bill-- you're trying to prevent someone from being sued for indecent exposure, if I'm correct, but it's already in statute, 20-170: a mother, the right to breast-feed her child, notwithstanding any other provision of law, a mother may breast-feed her child in any public or private location where the mother is otherwise authorized to be. You know, I know we're nearing the end of the session, and the longer we talk, the less we get to talk about anybody else's bills. I will leave it up to everyone else to decide, because I can certainly ask the Chair about germaneness, but I'll give you this one. Now, if somebody elects to put it on LB209, that's their prerogative. But I don't believe when we visit with each other and you want to put it on there anyway, it doesn't build a lot of trust with each other. This is a great bill, a very wonderful bill, but it can stand by itself. So tacking things on, I believe a bill needs to stand on its own merits. So with that, I will talk a little bit more about our study and our science, because I don't believe that people in this room understand enough about the study and how it got to-- into the issue of law in medicine in 2018. So, the Delgado study, I will say, the first round was called back by the institute review board. They had given Dr. Delgado the standard board waiver for his study, notified him that they would need to temporarily pull his study pending a needed correction. In his application, the institute review board-- Dr. Delgado had submitted a date range for his data analysis, which the institution review board approved. When the study was published however, the date range was slightly different. As a result, the institute review board called for a hold on impending the corrections of those dates. Dr. Delgado made the corrections, obtained a new board waiver, and resubmitted the study. It was properly republished by the same journal. No issues have been raised since. All attacks on the study have been attempts to smear it based on quickly corrected technical error that was described above. That having been said, the study findings are important. Interestingly it notes that earlier research done on rats were controlled, blind studies could be done ethically, yielded evidence that progesterone treatment is effective in reversing the effects of mifepristone. It then goes on to the case series conducted for the study in which 754 women participated, showing a success rate of 64 to 68 percent--

HILGERS: One minute.

ALBRECHT: --for injections and oral administration of progesterone, respectively, in saving pregnancies threatened by mifepristone. The study is only 11 pages long, including end notes. I

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know that if anyone would like a copy of it to review, I have it here with me. I know that in the beginning we are now on hours, probably, eight or nine, so we had two, three hour, six, seven, eight-- we've got some time left, but if you would like to review this over your lunch, easy reading, I'd be happy to share it with you. But I don't want to discount a study that is out there that other doctors are looking at and yielding their feelings about progesterone to this particular study. These women all signed off to be a part of the study and I don't think it should be discounted. Thank you.

HILGERS: Thank you, Senator Albrecht and Senator Hughes. Senator Linehan, you are recognized.

LINEHAN: Thank you, Mr. President. I rise in support of LB209 and I want to thank Senator Albrecht for all her hard work on this issue since she's been here in the Legislature. She's been a leader. I spent a great deal of time on what I consider one of the most important subjects that we could discuss. I know there's strong emotions on both sides of this issue. But I-- I just don't buy that abortion is good for women. Never have. I just-- I don't-- it's very sad. Women should never be left in such a lonely place that they feel they don't have choices and all alone. I'm not as, probably, eloquent on this as I would like to be, but I do appreciate the very hard work Senator Albrecht and others who have been here this morning working on this and I'm going to yield the rest of my time to Senator Albrecht so she can continue to inform us. Thank you.

HILGERS: Senator Albrecht, 3:30.

ALBRECHT: Thank you, Senator Hilgers; thank you, Senator Linehan. I appreciate those words. You know, we have had a lot of people working on this. I appreciate the Judiciary Committee and the leadership that Senator Lathrop had taken on to make certain that this would comply with law and not be challenged. And I appreciate the five senators who helped get it out of committee: Senator Brandt, Senator Wayne, Senator Slama, Senator Lathrop, and Senator DeBoer; thank you for your hard work, for their staff, the counsel did an outstanding job. Josh worked with all of us. And, you know, when work like this goes into something and people absolutely from the heart will stand up and share some of their stories and understand that we're going to make this the best we can, this is not about taking abortion away from anyone. Every woman still has that right to choose, but she also needs that right to make the right choice for herself by knowing that there are other options for her. And we need to be there to carry them through this, whether it's trying to make a decision that is the most difficult one of her life that she's going to be raising a child and we're going to be standing next to her. And I believe there are many, many programs that we absolutely have available to these folks. And when you go on to these-- these-- or talk to some of the organizations, public and private, that are out there that will help hold their hand, that will help them understand the resources available to them, if they

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should choose life and choose to bring that child into the world, there are many, many different organizations standing in support of them. And it is life changing for all of them. Again, I go back to Rebekah's story, I mean, that compelled me to carry this bill. This is a pro-woman, pro-life, pro-choice. She has a right to choose. To choose to abort it or she has a right to know that she can choose to save that unborn child. And that's what this bill is about. When Rebekah came and talked about her story, that, yes, she did go online six years ago, you know, I guess I'm not quite as resourceful when it comes to--

HILGERS: One minute.

ALBRECHT: --all the technology that's out there, but six years ago that young woman made that decision, after taking that first pill in her car to Google reversing the abortion pill. And she found someone to talk to, to help her through this. And thank goodness that organization, whoever they were, whether they were a Christian organization or just a public private supporting women organization, I don't know who it was that she contacted, but I do know that they helped her save her son's life. And that's what this is all about today. Again, informed consent. We're doing nothing more than informing a woman in writing, in law, in statute that those performing the abortion must tell them, must give them that information. So I implore you to look over the study, to ask questions over lunch.

HILGERS: Time, Senator.

ALBRECHT: Thank you.

HILGERS: Thank you, Senator Albrecht and Senator Linehan. Senator Clements.

CLEMENTS: Thank you, Mr. President. Also thank Senator Albrecht for her hard work in the Judiciary Committee for bringing this to the floor. I have had a number of e-mails also about this subject and I had one specifically. I had read this before, but I'd like to state it again because I thought she had a really good message. This is a woman from Omaha who wrote me what I thought was a well thought-out message. She wrote that I'm requesting you to support LB209 for the following reasons. LB209 is pro-woman and pro-science. Women deserve all the information regarding abortion to make a truly informed decision. This reversal protocol offers a real chance for the woman to rescue her child when she has changed her mind, as well as spare herself the pain and regret of losing a wanted baby. A small window of time, only two to three days, exists for a woman to continue her pregnancy after starting a medication abortion, informing her of all her options and where to find medical help if she changes her mind increases her chances to save her pregnancy. The short time frame makes early information extremely important. This protocol is already being offered successfully across the country and in Nebraska. Informed consent is a

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staple of good medical practice in any procedure or protocol. A woman shouldn't have to find out later if she could have continued her pregnancy if only she had known it was possible. Please support women and unborn children by voting yes on LB209. And also, a doctor wrote me, this medical doctor says-- as one of your constituents, I encourage you to support LB209 allowing women to keep her pregnancy if she changes her mind regarding an abortion. The Association of Pro-Life OB-GYN strongly supports a woman's right to choose to keep her pregnancy and attempt to reverse the effects of a medical abortion which she no longer desires. The abortion pill reversal process is safe for both the mother and her unborn child and offers a real chance for women to rescue her unborn child when she has changed her mind about abortion. I was glad to hear from a physician in my district that this procedure is safe and that a national association with 2,500 members supports it. And I urge your support of LB209. I recently visited the Assure Women's Center in Omaha, and they do free pregnancy tests, free ultrasounds and free supplies for babies, young children, after their child is born. And they do parenting classes, all without cost. They said they had about 2,400 women visit last year with unplanned pregnancies considering abortion, and 75 percent of those chose life. So, it was interesting that 75 percent of women pondering what to do chose life and they changed their mind when given factual information about abortion and pregnancy. And I was glad to see there are resources for women such as this and that--

HILGERS: One minute.

CLEMENTS: --that it was also an indication to me that it is a time when women are seriously considering their choices, what they should do, what's best for them, what's best for their child, and that 75 percent of the time, last year when they came to this center, that they did choose to keep their baby. And I support giving them factual information such as this and ask you to support LB209. Thank you, Mr. President.

HILGERS: Thank you, Senator Clements. Senator Lowe.

LOWE: Thank you, Mr. President. I got a story here, an e-mail. Dear Senator: As a Nebraska taxpayer, I urge you to stand up for the lives of the unborn babies in Nebraska. This was dated February 20, 2019. In a major break with our state's pro-life traditions, the Legislature's Appropriations Committee narrowly voted to strip the pro-life budget language which prevents taxpayer dollars from going to abortion providers; this victory for radical pro-abortion activists. This decision by the budget committee is appalling and please do your part to reverse it. How Nebraska spends taxpayer dollars has deep implications for the dignity of human life and Nebraska core values. The importance of having a pro-life budget again this year is important to me. I don't want my tax dollars killing unborn babies in Nebraska. Psalm 139:13-14 from the New International version: For you created my inmost being; you knit me together in my

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mother's womb. I praise you because I am fearfully and wonderfully made. Your works are wonderful. I know that full well. In addition to the pro-life budget, there's also another important pro-life bill that needs your support this year. Senator Albrecht of Thurston has introduced LB209 which would strengthen the state's informed consent protections by requiring doctors to provide information about how to reverse the abortion pill when the drug is prescribed. Please support this. This was by Anita Keys from Elsmere, Nebraska. Elsmere is a small town; well, not even a small town, it is a bunch of buildings northwest of Brewster, kind of northeast of Thedford, it's next to Goose Creek, if you want to find it on a map. Another e-mail came in. Hello Senator Albrecht and co-sponsoring senators: A huge thank you for sponsoring LB209. We are thanking God that it is going to the floor. Complete unbiased medical information should be available for all medical issues. We are remembering the emotional testimony of Rebekah Hagan, the young mother that testified encouraging Nebraska to give complete information on the choices women have before the abortion decision is made. She encouraged us all to remember an instance in our life when we have made the wrong decision in an emotionally upsetting time. Each of us have experienced that dreadful feeling and regret. Everyone deserves a second chance to correct a wronged decision. LB209 is the second chance to save two lives, the baby and the mother. Thank you to each of you for supporting LB209. That's by Denny and Charlene Edmundson. Another e-mail, Dear Senator; as you know, LB209 was voted out of Judiciary Committee last week and is scheduled for floor debate tomorrow. This was April 20, 2019. I'm not a resident of your district,--

HILGERS: One minute.

LOWE: Thank you, Mr. President. --however, as a concerned fellow Nebraskan, I feel compelled to write to you in support of this bill. Having an abortion has got to be the toughest decision that a woman will make in her entire life by Pat Carol [PHONETIC]. With that I'd like to yield the rest of my time to Senator Moser if he'd take it.

HILGERS: Senator Moser, 0:30.

MOSER: Thank you. I support LB209. This bill gives women the information about how to increase the chance of their pregnancy continuing if they change their mind about aborting their baby. If even one woman successfully reverses her abortion decision after changing her mind, I think this bill is worthwhile. This morning a comment was made about the Legislature not caring about children and that we don't vote for things for children. The Department of Health and Human Services spends--

HILGERS: Time, Senator.

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MOSER: --\$1.75 billion on social service programs. Thank you.

HILGERS: Thank you, Senator Moser and Senator Lowe. Senator Bostelman.

BOSTELMAN: Thank you, Mr. President. I stand fully in support of LB209 and I appreciate what Senator Albrecht has done and is doing with this bill and for the supporters here. I'm wondering if Senator Moser would yield to a question.

HILGERS: Senator Moser, would you yield?

MOSER: Yes, I would.

BOSTELMAN: Senator Moser, I would be interested in hearing the rest of what you have to say.

MOSER: Well, thank you. I was just going to talk some more about caring about children. We spend \$1.75 billion on social service programs, not just for children, but for all Nebraskans. That's 35 percent of our budget. And if that's not sufficient, what number would be sufficient? We have budget problems as it is. We struggle to find money for programs, we struggle to prioritize things to fit into the budget. We need to do a better job with how we spend that money, not spend more money. And I think some of the senators, I think last night and this morning, have gotten kind of into a lecture mode because we don't necessarily agree with everything they think. But I think we have to respect the fact that there's a diversity of views in the Legislature and not everybody thinks like any one of us senators thinks. I think-- I got elected from a district that thinks a lot like I think or I wouldn't have won. I had five opponents, and out of five opponents, I got 40 percent of the vote the first time or more and I got 65 percent of the vote in the general election. So, what I say and what I think here is what my citizens in my district think. And so don't disrespect what they think because it disagrees with you. Thank you.

BOSTELMAN: Thank you, Senator Moser. I'm glad that you were able to finish what you said. I do believe that every individual, before you go through a procedure, whatever it is, an operation, whatever it is, needs to have all the information provided to them of fully what you're doing, what the risks, what the potentials are, what your options are. I know as I have had a number of surgeries myself, those are things that I always wanted to make sure to ask the doctor, the doctor provided for me, the doctor always went through everything with me to make sure I understood what the complications were, what the outcomes could be, what the risk might be and provided me as much information as he or she could so that I was able to make a decision on that procedure that was best for me and for what I was doing with that, that procedure, that operation that I was facing. And I think it's very important what we're talking about here today and what

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Senator Albrecht is trying to do here today is just make sure that that individual, that woman has that opportunity to know where they can go and find out more information if they so desire. It's giving them all of the information that they should receive before having any procedure done and that seems to be what is being argued on both sides here. In some extent, it's just about what exactly that needs to be to be stated to the woman is that do they keep this information from her about there is an opportunity? So if you so desire, you can go look and see what it is and look it up for yourself and make that decision on your own. Or is it that we're not going to tell you and you've got to go out and you've got to figure it out on your own and go find it. I don't think that's the right answer. That's why I fully support LB209.

HILGERS: One minute.

BOSTELMAN: You say one minute?

HILGERS: Yes, 1:00.

BOSTELMAN: Thank you. I yield my time back to the Chair.

HILGERS: Thank you, Senator Bostelman and Senator Moser. Senator Cavanaugh.

CAVANAUGH: Thank you, Mr. President. I'd like to take a few moments to talk about Senator Blood's amendment. So I've never experienced public shaming for breast-feeding or nursing in public. I've been asked about it a lot, early on in the session, some of the local news outlets asked me about how I have been treated. And I always kind of wondered about that, because so many women do have those stories. And I don't know if it's just that people are intimidated to publicly shame me because they know I won't take it or why, but it hasn't happened to me. And I will tell you that if you do try to publicly shame me, you'll be the one that's embarrassed, so I don't recommend it. But that's not the case for most women. Most women don't have the, maybe, unfounded self confidence that I have to just do what I'm going to do to take care of my child whether it's in public or in private. Most women have been socialized to make men feel comfortable. I have been socialized to make men feel comfortable, but I just threw it out of the window a couple years ago and now I just do what's right for my kids. So, it is important and it is necessary to raise the level of conversation about what we're doing for working moms and stay-at-home moms and just moms in general because moms have got to do a lot. We have to take care of our kids and we have to take care of business in a different way than other people do. And it's a balancing act and it's hard and it's exhausting and I drink a lot of coffee as a result of it, but you just push through. I'm not the only one in this body that does it. I'm not the only parent in this body. There's a lot of parents in this body and you all know that you have to balance your graduations, your baptisms, your births of grandchildren-- we all have to balance these things, so



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we should be looking together for opportunities as to how to make things just a little bit less hard for moms. And Senator Blood's amendment does that. It makes it so that moms know that we stand up and we care about them and whether it's attached to this bill or not, I think it's an important conversation to be having. When we keep having conversations about being a family-friendly state, being family first, wanting to support women, wanting to support their physical autonomy, and legitimizing that breast-feeding is a beautiful natural thing that should not be diminished in any way, shape or form because it makes you uncomfortable. If it makes you uncomfortable, you have autonomy over your eyeballs and where you place them, so you can just divert them. Nobody is saying you've got to look at my breasts. That's your choice, not mine. So when I'm nursing, when I'm breast-feeding, if it makes somebody uncomfortable, my expectation is that they make themselves more comfortable by diverting their eyes to something that doesn't make them uncomfortable, not by coming up and assaulting me with words. So, I think that's all I have to say about Senator Blood's amendment. I don't know if Senator Blood would like to say anymore. I'll yield my time to her.

HILGERS: Senator Blood, 1:15.

BLOOD: Thank you, Mr. President, and thank you, Senator Cavanaugh. I wanted to clarify when Senator Albrecht was on the mike, she said it was her understanding this bill was so-- woman that were breast-feeding couldn't be sued. Again, as I said in my opening, this is about a woman being able to be cited, given a ticket. And while I've been sitting here, I've been having breast-feeding moms texting me, which is quite entertaining, and one of them pointed out to a recent story in Ohio where a woman was in a public building and was told by a sheriff that it was illegal for her to breast-feed in the public building and that she needed to stop or leave. And of course he couldn't verify that with anything written and there was nothing posted. So I looked real quick to see if Ohio was an open-carry state, and it is. And so the reason that always makes me-- that comes to mind on things like that, is that if my breasts or our breasts, if our uteruses could also shoot bullets, would people stop trying to regulate that as well? I don't know. But it makes me think. Why are we so worried about beautiful natural things? And I kind of feel like we're in stealth mode because a lot of people are addressing Senator Albrecht's bill--

HILGERS: Time, Senator.

BLOOD: Thank you.

HILGERS: Thank you, Senator Blood and Senator Cavanaugh. Mr. Clerk for items.

ASSISTANT CLERK: Thank you, Mr. President. New resolution, LR256 by Senator La Grone; that will be laid over.

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And a priority motion: Senator Williams would move to recess until 1:30 p.m.

HILGERS: Thank you, Mr. Clerk. Colleagues, pursuant to the Speaker's directive, we will be coming back to LB209; we will keep the queue as is and start with the first speaker in the queue as it currently is. Colleagues, you've heard the motion. All those in favor say aye. All those opposed say nay. We are in recess.

RECESS

SCHEER: Good afternoon, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber. The afternoon session is about to reconvene. Senators, please record your presence. Roll call. Please record.

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

SCHEER: Thank you, Mr. Clerk. Are there any items for the record?

ASSISTANT CLERK: Mr. President, new resolution: LR257 by Senator Stinner; that will be laid over. In addition, the Judiciary Committee will hold an Executive Session at 1:45 in Room 2022.

SCHEER: Thank you, Mr. Clerk. (Visitors introduced.) Senator Brewer, for what purpose do you stand?

BREWER: Point of personal privilege, Mr. Speaker.

SCHEER: Please proceed.

BREWER: Thank you, Mr. President. Colleagues, this evening at 1800 most of you will probably be involved with the sine die event, but I wanted to let folks know that simultaneously in Omaha, at Embassy Suites at La Vista we will be recognizing roughly 100 Purple Heart recipients and families of the Gold-- the Gold Star families. These will be veterans from the wars in Iraq, Afghanistan, and the Persian Gulf who have either earned the Purple Heart or the Bronze Star and they're going to be joined by Nebraska's service members' families that have been lost in those wars. We will fly early tomorrow morning to Washington, D.C., out of Eppley, roughly 0300 a.m., and that will start daylong events for this group. The public is invited to line up along South Tenth Street to welcome them home when the parade starts tomorrow night. The parade will begin at Tenth and Jackson Streets at roughly 9:00 p.m. and will include-- will include at

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the-- will include the Millard American Legion Post 374's Color Guard, the Omaha Police Department bagpipe and drums. We will have Korean vintage Jeeps, classic cars, motorcycles, a camel, horses, a mule, and politicians. [LAUGHTER] So I would invite you, if you can, if you are in Omaha or if you happen to be in the Omaha area, to come tomorrow night and welcome especially the Gold Star families. And with that, thank you, Mr. President.

SCHEER: Thank you, Senator Brewer, for that information. And I encourage anyone that is able to attend that. Mr. Clerk, first item.

ASSISTANT CLERK: Mr. President, under consideration when we recessed for lunch was LB209, and specifically an amendment from Senator Blood, AM1875.

SCHEER: Thank you, Mr. Clerk. Senator Albrecht, would you like to refresh us, not that we probably need it, but on LB209?

ALBRECHT: Certainly. Thank you, Speaker Scheer. Again, we're discussing LB209, which is about informed consent for a woman if she should so choose to stop after the first abortion pill and decide to seek help to bring her baby to term. Thank you.

SCHEER: Thank you. And, Senator Blood, would you like to refresh us on your amendment, please?

BLOOD: Thank you, Mr. Speaker. All my amendment does is add the language that says a woman breast-feeding in public will be exempted from public indecency laws, nothing more, nothing less. And although our state does allow for them to breast-feed wherever they like, it does not protect them from public indecency laws while they're breast-feeding.

SCHEER: Thank you, Senator Blood. We'll return to discussion. Those waiting in the queue: Senator Chambers, Blood, DeBoer, and Pansing Brooks, and others. Senator Chambers, you're recognized.

CHAMBERS: Thank you, Mr. President. Members of the Legislature, it should not come as a surprise but I'm opposed to this bill. I'd like to inform Senator Albrecht of something about this atrocious piece of legislation that is currently in the books that she indicated she was not willing to change because it's been there a long time. Longevity does not improve something which is rotten in the beginning. No matter how long you let a sow's ear sit on the shelf, it will never transmogrify into a silk purse. If something is unclean and you put it in a sealed container, it will never be clean. You can't bring a clean thing out of an unclean thing by simply letting the

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unclean thing stand. When I read through these various bills, whether it deals with abortion, criminal statutes, or anything else, when I see something that should be changed, I make the effort to do it. I take seriously what we do when we enact laws. This particular area of the law makes the Legislature appear to have been peopled by ignoramuses. So what Senator Albrecht seems to be saying, if it was good enough for them fools back there, it's good enough for these fools here today. And nobody is expected to gain any additional knowledge or understanding. We should let obsolete statutes stay on the books. We should let statutes which are written in bunglesome English stay bunglesome so it can serve as something like a history book and show how ignorant the senators were whenever that was put on the books. Senator Albrecht, by offering what she's doing, is violating her own principle because she's altering the law that's on the books now. This is what I'm talking about when I express chagrin, impatience sometimes with comments that senators make thoughtlessly. What we say is recorded. It is transcribed. And it would be a good idea for some of you to get the transcriptions of what you said and read it and see if what you said is what you would really like to live with. You cannot undo what has been transcribed, but you can take that as a learning experience and do better the next time. Do I expect that to happen? After my 40-some-odd years here, I know it's not going to happen. You all, when you bring these bills, get your marching orders. I know you don't write these bills yourselves. You're more intelligent than that. But when you let a fool give you something and you ratify what the fool did and adopt it as your own, then you have joined the crew on the ship of fools. I will continue, when I see poorly written laws come before us in the guise of a bill that is designed to amend the law, I'm going offer those changes. The fact that the offerings will be rejected will not deter me because I know what I'm dealing with. I'm not dealing with professors. I'm not dealing with college graduates, and I don't mean somebody who went through college and college went through them. To me--

SCHEER: One minute.

CHAMBERS: --to graduate is more than just finishing a certain number of years. It means that you gained some knowledge and understanding during those years. But as George Bernard Shaw said, colleges and universities are places of higher learning because everybody brings something when they come but they leave with nothing. So what they left begins to accumulate and when you put it all together you have an institution of higher learning. Just because we're in the Legislature and we are not required as a qualification to even know how to read, write, or spell, does not mean we should maintain the level of ignorance that we were at when we first came here. Thank you, Mr. President.

SCHEER: Thank you, Senator Chambers. Senator Blood, you're recognized.

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BLOOD: Thank you, Mr. Speaker. Fellow Senators, friends all, as always, I listen very closely to the entire debate on both my amendment and the underlying bill. I-- I have grave concerns. First of all, I have concerns that the amendment is basically in stealth mode, which tells me that a lot of people have already decided how they're going to vote. They're looking at their-- their e-mails and their letters that they keep repeating over and over and over again in this debate, that they're going to read on the mike. And they're really not coming and talking to me about the amendment and what it means, and I find that disappointing. But yet, I'm going to prevail and-- and move on. One of the things that I'm taking issue with is we are constantly using words like liberal and conservative on these mikes like it's a dirty word. And I am asking you, I plead, do not stand up and say I'm a conservative senator, I'm a liberal senator. Because really, if you look where they came from, a liberal Senator, I'm one. I'm generous. I'm free. I'm broad-minded, not narrow. And if you look up conservative, you want to preserve traditions or institutions, resist change. But here's where our middle ground is. We share a will to change what needs changing. We have determination to move things forward, like my amendment, and the wisdom to know the difference. You know, there's a little bit of talk about me trying to hitch a ride from the floor, and I'm sorry but, as Senator Groene said, I'm using every tool in my toolbox. But I want to remind many of you on the floor that since I came into this building, I have done nothing but allow people to catch rides on my legislation. I remind everybody about LB88. Senators who I have allowed to hitch rides on my legislation, Riepe, Erdman, who actually did not vote my bill out of committee but still got to ride on it; Bostelman, Pansing Brooks, Kolterman, Crawford, bills like LB61, LB283, LB342, LB343, LB425, the list is long. I didn't think twice when Senator Bostelman came and asked me for-- to hitch a ride on LB138, which was my priority bill. And, granted, they didn't do it from the floor, but had they tried to do it from the floor I probably would have let them because I am here to be a nonpartisan senator. I'm here to help others get good things done. This is a good piece of legislation. It doesn't cost you anything. It also shows that you're not a hypocrite. You can't tell me that you are pro-woman, pro-child, pro-mother, pro-baby, and you're not willing to add one sentence to state statute that says you love and embrace them and you never want them to feel ostracized or in danger. I cannot stress to you enough, gentlemen especially that are in front of me and looking down at their desks, women are amazing. We feed your children. Many of us raise your children. We support you. There are many households now where the women are the breadwinners, believe it or not. I know. It's a scary thought. We've got to do better. We can do better. This isn't a liberal notion. This is a loving, intelligent notion that's not going to hurt anybody. And if you say to me, which some of you have already said on the floor to me in private, well, there's a right way and a wrong way to breast-feed our children, I got news for you, guys. Just one way to breast-feed a child. And then you say, well, they need to cover up because I don't want to see that, fair enough. But when you're rushing around--

SCHEER: One minute.

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BLOOD: --and you don't have time to grab a blanket, I challenge you on a hot summer day to go out and eat lunch on the front lawn out here with a blanket on your head and see how much you like it. So thank you, Mr. Speaker.

SCHEER: Thank you, Senator Blood. Senator DeBoer, you're recognized.

DeBOER: Thank you, Mr. President. I have not yet spoken on this bill, and I'm sorry to Senator Blood because I am going to talk about the underlying bill. I was part of the group that worked with Senator Albrecht, and I thank Senator Albrecht for her work to come up with a negotiation amendment on this bill. This body works on trust and so part of that trust is recognizing that we work together and we came up with something that maybe neither of us thought was perfect but I thought it made it better. But there are a couple of things I want to put on the-- on the record. One is I think words matter. And I think we've been sort of loosely using the term abortion, abortion reversal, which to me suggests that you either don't know what the word abortion means or don't know what the word reversal means, because abortion is final. And I think we ought to make sure that everyone knows that. I think it's important that we don't say you can reverse something. You can't undo something once it's been done. And that's relevant to me because I don't think that we ever want any woman in a situation saying, you know, I listened to all that debate about reversal so I'm just going to take the first pill and see how I feel about it. I don't want to-- I don't want to put anyone in that position. I think we ought to be very careful about how we educate the people around us and I think words matter. And I don't think that we can even imagine there's such a thing as reversal of a-- a final event. I also think that, in general, I don't care if it's on eye surgery, setting a leg, pulling a tooth, whatever, statute isn't the place for giving speeches that people have to say. I just-- that's just a principle I don't like. I just don't like the idea of compelling people to say certain things. I think that the statutes aren't the place for that. So I still have a little heartburn. And lastly I'd like to say in every one of the cases that I can remember that has either been brought up on this floor and we had enough information or in the hearing, the woman in question Googled abortion reversal and found her information that way. So it seems to me that, no offense to the DHHS Web site administrators, it's a little bit clunky as a Web site, and probably women are going to Google anyway. So-- so this is a tricky one because I don't think we ought to-- I don't care what it's about, it really does not matter to me what it is about-- I don't think we ought to be telling physicians what they ought to say to people. I don't care if it's true or false. I make no statement about the truth or falseness of it. I'm just talking about a principle. And I think we ought to be very careful with the words that we're using here in case people are watching and they be misled by what we say. Thank you, Mr. President.

SCHEER: Thank you, Senator DeBoer. (Visitors introduced.) Returning to the queue: Senator Moser, Albrecht, Arch, Geist, and others. Senator Moser, you're recognized.

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MOSER: Thank you, Mr. President. I'd like to ask Senator Blood a question if she'll answer it.

SCHEER: Senator Blood, would you please yield?

BLOOD: For you, Senator Moser, I'd be happy to.

MOSER: All right. Well, that's a good attitude. I was reading this part of the law that already allows a mother to breast-feed and then reading your amendment that goes beyond what's here, and I was wondering if you could explain the reason that your amendment is necessary when this part is already in the law.

BLOOD: That is a really good question and I appreciate you asking that question. So--

MOSER: You're welcome.

BLOOD: Good job. Well done. So that part of statute that you read to me is civil law. So as a breast-feeding mother, I have the right to breast-feed in any place that I have the legal right to be. However-- and I don't know if I consider this criminal law. I'm not an attorney, so hopefully an attorney will help me out if I'm wrong on this. Under public indecency laws, we could be charged with public indecency. Breast-feeding is not exempt. So, for example, if I were to breast-feed in the middle of this room and you felt affronted, is how our statute reads, which means offended by the-- the curve of my breast, you would call 9-1-1 and ask that I be cited and you could do so. So what this does is creates extra security for our breast-feeding mommies to know that no matter where they're at, they don't need to worry about some pearl clutcher being concerned about possibly being exposed to their breast.

MOSER: So would your amendment, if it was-- if you're trying to just put this into law, would it be better to put it in the same place these other mentions are of breast-feeding? Or is it better to attach it to the law that Joni, Senator Albrecht, is trying to bring?

BLOOD: That's another good question. So the first thing that you quoted was civil law. And my amendment is in Chapter 28, which is the same chapter as is Senator Albrecht's. So if you look at state statute, so you're looking, that, what you have in your hand is civil law. That's Chapter 20 I believe, right?

MOSER: Right.

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BLOOD: OK. So my amendment and Senator Albrecht's bill, Chapter 28, germaneness, because of the chapter and because of the topic and that it doesn't really change her topic by adding my amendment to the bill.

MOSER: OK. I just couldn't see the distinction and, you know, I thought this might adequately answer the question whether it's permissible for a mother to breast-feed her child. So thank you for that answer. I appreciate it.

BLOOD: Thank you for the question.

MOSER: Thank you, Mr. President.

SCHEER: Senator Moser and Senator Blood. Senator Albrecht, you're recognized.

ALBRECHT: Thank you, Speaker Scheer. I do have, you know, since we've got hours and upon hours and we have new folks watching and listening, I'd like to talk a little bit more about the bill. You know, when women do have to make this decision to go to a clinic to get an abortion, sometimes they make decisions that they wish they could take back. And sometimes those decisions are small and we quickly forget about them, and other times they're major ones and can be life-altering. So it doesn't surprise us that this happens with abortion. Fifty-five percent of the abortions in the state of Nebraska, again, are medication abortions. Those are within ten weeks of finding out that you're pregnant. Those abortions, the medication abortion, begins with taking mifepristone. It is the first pill that they give you. And this bill today is, again, about one thing and that's informed consent. It gives every woman a second chance at choice if she wants to pursue it. It ensures that no woman who regrets starting an abortion is left in despair. LB209 as-- as amended would require that a woman be told the following, quote: Research indicates that mifepristone alone is not always effective in ending a pregnancy. You may still have a viable pregnancy after taking mifepristone. If you change your mind and you want to continue your pregnancy after taking mifepristone, information on finding immediate medical assistance is available on the Web site of the Department of Health and Human Services, end of quote. All these statements are medically and factually accurate. They have one purpose in mind, to give the woman the information that she needs, including what to do if she changes her mind. There are doctors and nurse practitioners in Nebraska today who are helping women save their pregnancies after taking mifepristone. At the committee hearing we heard from Teresa Kenney, a nurse practitioner in Omaha who has assisted several women who came to her for help because they regretted taking mifepristone and wanted to save their babies. The committee also received a letter from Dr. Plambeck, which I read earlier to all of you, the ob-gyn here in Lincoln who's attended thousands of births. He assisted those six women who came for help. All six women delivered to term healthy babies, including one set of twins. I've distributed Dr. Plambeck's letter



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to you earlier with his experience and his support of LB209. I also have a letter from Dr. Britt Thedinger, who had written his own personal letter, which I'd like to read into the record again today. This was dated on April 25. Senator Albrecht, on March 19 of this year the Nebraska Medical Association sent you a letter stating our opposition to LB209. After review of additional information, we have taken a neutral position. Personally, I support the passage of LB209. As a physician and surgeon, it is my ethical responsibility to inform my patients of all their options, the risks, the benefits, and alternatives, so as to make an informed decision regarding their medical treatment. LB209 provides a pregnant woman additional information that the abortion pill may be reversed. As advocates for the physicians and health of all Nebraskans, it is my request that you support and vote for LB209. That was a personal letter from him on his letterhead.

SCHEER: One minute.

ALBRECHT: This helps-- the help that is available to women who regret having begun the first process of mifepristone abortion only helps women if they know about it. No woman should find out weeks or months later that she could have saved her pregnancy if only she had known it was possible. LB209 gives the woman accurate information about all their options. This bill has broad support in this body, and I have been encouraged by the support it has received from many doctors and nurses across the state of Nebraska. It gives women hope, control over their own medical treatment, and another--

SCHEER: Time, Senator.

ALBRECHT: Thank you.

SCHEER: Thank you, Senator Albrecht. Senator Arch, you're recognized.

ARCH: Thank you, Mr. Speaker. I rise today in support of LB209. But I-- I'm not here to speak today on science or the research or any of that but, rather, I want to talk but something a little-- probably even a little more difficult and that is compassion, compassion and passion, because I think what we see on the floor today and what we've heard in testimony are both, from-- from various perspectives. All, I believe, are speaking passionately about this issue, but I believe that everyone is also speaking compassionately about this issue as well. And, of course, compassion comes in when-- when you ask yourself the question, what is in the best interest of the woman at this particular time, what is in the best interest of the patient as they would be seen by the physician, what is-- what is in their best interest? And-- and we may disagree on that and I think-- I think what you're seeing is disagreement of-- of what is in the best interest of the patient. We know that there's disagreement because we've heard this expressed on the floor about

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the research and how robust is the research and is it enough research and-- and all of that. And you even read in the literature that there's disagreement amongst physicians whether there is enough. We've gone over the FDA approval process. We've gone over off-label prescribing. We know that progesterone is an approved medication by the FDA, not for this particular situation but it is an approved medication for other. And then we also know that it's used for other off-label uses as well. And so it is the physician's clinical judgment at that point to say, yes, I believe there's enough, there is enough research; yes, I believe there is enough evidence; yes, I believe that in my professional judgment that the-- that the benefit outweighs the potential risk. And after notifying the patient of the potential risks, then-- then the medication is prescribed. But there's disagreement there as well as to-- as to is there enough, is there enough research. But this we know, that in this particular situation, where the woman is faced with this decision, it is a-- it is a very difficult decision. For some women, this is-- this-- this-- this is-- this is probably the largest decision that they've made and they know that. They're experiencing that, as we've read and we've heard in some of the letters that have been-- that have been read into the record today. And so the question becomes, really, from a compassionate perspective, do they have the right to know? Is it the compassionate thing to do? And-- and we deal with this issue. We-- we deal with this issue with regards to benefits and regards to-- regards to some of our social service. I mean we-- we sit in that HHS Committee and we hear-- we hear very, very difficult lives and very, very difficult issues that people are facing in their life and how can we help. Is it-- is it really a question of compassion and resources and all of those things put together but compassion very much a part of it. And so in this case then the question becomes, what is the compassionate thing to do? Does the woman have the right to know? And-- and maybe we fall on different sides of that issue and I think that's maybe what we're hearing in our debate today. But-- but it's still a question and it isn't as though one side of this issue or the other side of the issue has all the compassion and the other one doesn't.

SCHEER: One minute.

ARCH: But it is-- it is something that we're wrestling with today. But I-- that's really all I wanted to say on that. I do have a quick question for Senator Blood, if she would be willing to yield, because we're also dealing with the amendment here.

SCHEER: Senator Blood, would you please yield?

BLOOD: Yes, I'd be happy to yield to Senator Arch.

ARCH: Thank you. So my-- my quick question is this. Is there anything in this amendment that would prevent-- say, let's use a restaurant as an example. If-- if-- if-- if a woman-- if a woman needs to breast-feed in a restaurant, is there-- is there anything that would prevent the owner, the

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represent-- the owner's representative from asking to-- if there's others around that are expressing some discomfort, does this-- does this in any way impinge upon an owner asking a woman to cover up? I mean I know we're-- I know we're talking about-- I know we're talking about citations, about criminal behavior. But does this in any way impinge upon private rights in that respect?

BLOOD: Well, sir, I-- I'm not an attorney.

SCHEER: Time, Senators. Thank you, Senator Arch and Senator Blood.

BLOOD: Too long a question.

SCHEER: Senator Geist, you're recognized.

GEIST: Yes. Thank you, Mr. President. I would ask Senator Blood if she'd yield to a question.

SCHEER: Senator Blood, would you yield?

BLOOD: I am happy to, Senator Geist.

GEIST: Senator Blood, would you go ahead and answer the question that Senator Arch asked?

BLOOD: Yes. So if I understand the question correctly, if I own a restaurant, somebody is breast-feeding, I want them to cover up, can I ask them to cover up? Is that correct question? So if she has the legal right to be there in existing law, under civil law, she has the legal right to breast-feed that child.

GEIST: Are you-- is-- is that all?

BLOOD: Yeah. There's--

GEIST: OK.

BLOOD: I mean it's--

GEIST: OK.

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BLOOD: --pretty black and white.

GEIST: OK. Thank you, Senator Blood.

BLOOD: That's not under my amendment. That's under current existing law.

GEIST: OK. Thank you, Senator Blood. And I would say if she has the right to be there and they can't ask her to cover up, then maybe we're good where we are? No, I don't-- I don't need to ask a question, Senator Blood. Thank you, though. I appreciate your-- your-- your response. I was going to just give a little more information about the study that I cited earlier. But I-- I-- I was compelled by what Senator Arch was saying. And kind of also segueing into what I was saying earlier about people of faith and-- and that I think sometimes people get a skewed view of what the intent of the heart is. And-- and I-- I would just want to add to that. I think that's one of the things that adds richness to our body. We do all come from different-- we bring with us to this Chamber our backgrounds and the things that have formed our experience, and because of that I think it makes us all better legislators. We all see things from a different perspective, and I think that's a good thing and a positive thing. And being able to understand each other's perspective better is one of the benefits of debating on this floor. And so I've come to respect the opportunity to do that and the opportunity to listen to people who have a completely different perspective than I do, and I find that that makes me learn. And I appreciate that. So no matter what side we find of ourselves on this issue, I think we can agree that we have compassion for the woman who is making this very difficult decision. So I just want to echo Senator Arch's point that there-- that might not often be heard on this side of this issue, and that is the compassion that is there for the people that are experiencing this very difficult decision and, speaking for myself, a huge lack of judgment from someone who makes a decision maybe that I would not have made, but a decision that in many cases, from what I've learned from many women who have gone through this decision, that they are, in their mind, doing the best thing they think for themselves, and so I can understand that. Moving on to just some more details about the study from the New England Journal of Medicine, which I'll also say is one of the most reputable, if not the most, in the medical environment, and one I know that physicians greatly respect. And I'm probably going to wreck this guy's last name, but Ari Kumarasamy, a study leader and consultant gynecologist at--

SCHEER: One minute.

GEIST: --Birmingham Women and Children's Hospital, said the treatment, which is progesterone for risky pregnancies, which is what mifepristone causes, said the treatment can save thousands of babies' lives. We hope that this evidence will be considered by the National Institute for Health and Care Excellence and that it will be used to update the national guidelines for women at risk of miscarriage. At the present, when women are potentially miscarrying there is nothing we

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can offer them, but he said this-- that the treatment would not work for all women who miscarry because there are many complex reasons why miscarriage occurs. Only those women with progesterone-related problems could benefit. And please understand that what mifepristone does is it counteracts progesterone, which is why it makes logical sense that this--

SCHEER: Time, Senator.

GEIST: --would work. Thank you.

SCHEER: Thank you, Senator Geist. Senator Gragert, you're recognized.

GRAGERT: Thank you, Mr. President. I rise in support of LB209 and yield my time to Senator Albrecht.

SCHEER: Senator Albrecht, 4:50.

ALBRECHT: Thank you, very much, Speaker Scheer and Senator Gragert. You know, there have been many, many phone calls to my office, several e-mails as well. We've had a lot of people throughout the state of Nebraska interested in this issue. And I just want to kind of hopefully help Senator DeBoer understand from myself why I feel this needs to be in state statute. If we do not let those who abort our children know that these mothers have a right to know and they must know, they must be told that they have a second chance to make a different decision if they should get to that point after taking that first mifepristone pill. It's to protect that unborn and to help that mother know that she has another choice. And if we do not have that in state statute, we would not be able to save the many, many, many children today who are not welcomed into this world because of the abortion process. I'm very much concerned. I think Senator Slama read off the number of children that have not become a part of the population here in Nebraska, nearly 51,000 since 2000. There were like 4,100, 4,200, maybe 4,400 in one year and that, you know, that breaks my heart to think that how many of those children could very well be here today had they known that they didn't have to go through the process of the full abortion and not bring that baby into this world. I think that, you know, this isn't just about, you know, stopping somebody from doing something maybe that they shouldn't. It's not my choice to tell them. It's not my business to tell them. But it is my-- my sincere and compelling feeling and reasoning to do so because if-- if that doctor performing that abortion does not give them all that information-- I mean, today it states in our statute that they have to have an ultrasound. But just because they have to do the ultrasound in the clinic doesn't mean they have to show the mother the ultrasound. They don't want to talk about it as being a unborn child. They want to talk about it as being a fetus, dehumanizing it, that it's just a mass that will be gently extracted. These women that go into those clinics have every right to know what's going to happen to them and what their choices

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are. There's so much more to all of this that we're talking about today. But again, I'm going to bring you back to it's informed consent, giving the woman the ability to call a hot line, have a hot line put her with a doctor that would help her throughout the rest of her pregnancy and save that unborn child that does not have a voice. And I'm just very thankful that we were able to work through this in the Judiciary Committee. Again, thank you, Senator Lathrop and your staff for working with the Nebraska Catholic Conference--

SCHEER: One minute.

ALBRECHT: --who did bring this bill to me, along with the Nebraska Family Alliance. All of those folks that I've been working with have been very congenial and easy to work with and try to understand this bill for what it's-- what it's to be. And again, thank you to Senator Slama, Brandt, Wayne, and DeBoer, for bringing it out of the Judiciary Committee. And with that, I'll yield my time back. Thank you.

SCHEER: Thank you, Senator Gragert and Senator Albrecht. Senator Hunt, you're recognized.

HUNT: Thank you, Mr. Speaker. If any of you think that this would be a better state if pregnant people were forced to give birth, then I'm glad you said that on the record because that's saying a lot. When you look at this statistical report of abortions that a lot of people are talking about, incest, sexual assault, socioeconomic, can't afford to have a child right now, if you think our state would be better if those people were forced to become parents, then, ooh, I hope you keep saying that because that's something that you should definitely stand by. Respectfully to Senator Geist, she's citing an out-of-date study that she keeps talking about. Just because it makes sense in your gut that a medical procedure might work because of an anecdote or because of this application of a medication being used for something else and it worked, does not mean that we can apply it to this specific treatment. A recently published article in the New England Journal of Medicine, this was-- it was like May 7th or something of this year, it was really recent, found that in the largest randomized control trial to date, progesterone therapy administered during the first trimester for patients at risk of miscarriage did not result in a higher incidence of live births than placebo. Extrapolating from that study we could say, and also based on the-- the-- the data that doctors gave us in testimony during the committee hearing, based on research that other people have done, if you took a handful of Skittles between mifepristone and misoprostol, you'd have just as high of a rate as whatever quackery that DHHS is going to be telling these people. Senator Clements was talking about this pro-life gynecologist organization with 2,500 members and, oh, 2,500 members, how can 2,500 members be wrong? Do you know how many people are in the American College of Obstetricians and Gynecologists? Fifty-eight thousand. They don't support this. Do you know how many people are members of the American Medical Association? About 218,000. They don't support this. We cannot keep saying this is about science. The scientific

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community says this is invalid. And just say that you want to make it more difficult for women to access reproductive healthcare. That's all this is about. Just say that and go. You don't have to do this Ring Around the Rosie about actually this is scientifically valid. It's just not. And you know what? Maybe some day it will be. Maybe we need to wait and see the studies that are being done now and see what the outcomes of those things are. But today, in 2019, this is a model bill brought by a religious organization. It's completely transparent to all of us and I think that we are being insulting to Nebraskans and we're being insulting to the scientific community by acting like there's any validity behind any of this and that this is anything-- about anything other than preventing women from going to the doctor to get healthcare. It's literally all this is. So what about DHHS? What did they say? Over lunch I was trying to talk to DHHS; can't get a straight answer. They told Senator Wishart that they'll be referring patients under this bill to the Abortion Pill Reversal hot line. That's Delgado's organization. And maybe when I said that on the floor they got freaked out. I don't know why they're not being clear with me, but now they're refusing to be clear about their intentions for these patients and they're saying, well, there have been discussions about using the Abortion Pill Reversal hot line, that's definitely come up. So, colleagues, Senators, I don't think that this is something we should pass, that we can support unless we know where these patients are being referred to, and DHHS is not being direct about that. It's-- if they're going to be referring patients to a religious organization that is making money from us passing bills like this, that's really unethical. That's-- we don't have enough information to pass this. Like that's not great. Pro-life cannot mean antiscience. Before a woman gets an abortion, she has to have total certainty. And now with this bill, we have if you change your mind, you can get it reversed,--

SCHEER: One minute.

HUNT: --which is much lower than the bar that we currently have. And I think that it's just really cruel to let someone hold out hope for something that hasn't been medically tested and proven. Senator Arch talked about compassion and he said that when you ask yourself what's in the best interest of the woman, we just have disagreements about what's in the best interest of that patient. Well, I called this hot line that DHHS wants to use and the hot line referred me to a church. Does the Nebraska Legislature think that's in the best interest of women? That's not in the best interest of a patient. Patients need expert care from doctors. Doctors oppose this bill. The American Medical Association says there's no such thing because we don't have evidence for it. This is not a moral argument about this medical procedure. This is a moral argument at this point about what our role is as legislators and what we're putting in statute that's compelling patients to do something that's just not backed up by science. It doesn't matter what you feel or think. This stuff is provable and testable.

SCHEER: Thank you, Senator Hunt.

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HUNT: Thank you.

SCHEER: Senator Briese, you're recognized. Senator Briese, are you in the area? Seeing not, Senator Cavanaugh, you're recognized. OK, strike two. How about Senator Bostelman, are you around? You're recognized.

BOSTELMAN: Thank you, Mr. Speaker, and good afternoon. I am here unlike maybe some others. So the debate continues as we talk about providing information to women, about giving them information, an area that they can go to learn more, if they so choose, at one, either the provider or through DHHS or to wherever that referral might be. Whether-- I have not called out to those numbers to find out exactly where they are, but I do believe, and would Senator Albrecht yield a question?

SCHEER: Senator Albrecht, would you please yield?

ALBRECHT: Yes.

BOSTELMAN: Can you help me a little bit? And my understanding, DHHS will be responsible or has or will be responsible to set up a Web site or some information on-line. Is that correct?

ALBRECHT: Yes.

BOSTELMAN: Is that fully engaged? Is that fully up, operational? Is that in full use right now, do you know?

ALBRECHT: No. It will be if this passes.

BOSTELMAN: So if this passes, DHHS will then set up a new Web site, a new link, what-- that actually provides information. And will then refer people to whom? Do you know how that will work? Could you walk me through that?

ALBRECHT: Well, if this bill should pass, it would-- they would be looking for different private or public organizations, whether they use a national hot line, whether they use someone here in the state. Wherever the women are currently going, I'm quite certain there's probably some doctors that will say, you know, if you're a-- if you're a G.P., if you're a gynecologist, people, a lot of people take care of women that are pregnant and a lot of them know the protocol to take



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care of things. So I'm quite-- I feel very confident that they'll be able to put this together, just like they do other hot lines for suicide, child abuse, other issues that they have.

BOSTELMAN: So my understanding is of what we're talking about is they will look. They will reach out or go through, maybe it's through the state organization or something, to find the appropriate physicians, appropriate contacts to provide the information. That could be a wide range of individuals and not just one specific location or area. Is that--

ALBRECHT: Correct. Yes.

BOSTELMAN: So what we're hearing right now is probably a system that isn't fully operational, doesn't work. That's exactly why we need to pass this bill,--

ALBRECHT: Yes.

BOSTELMAN: --so that information can be put out there, so we can get a-- a diverse, I guess you would say, source of information, physicians from within the state, other resources that-- that a woman would have to reach out to learn more that does not exist today. Correct?

ALBRECHT: Correct.

BOSTELMAN: Thank you, Senator Albrecht. I continue to support LB209. I think it's very important that we do provide an opportunity for women to learn more about opportunities or alternatives to the decisions they made already, if they have questions, to go out and learn. Obviously, what I'm hearing on the floor today during the debate is that doesn't exist and that doesn't exist in a proper format. And so what you're trying to do, what you're trying to do, if you will, with this is to provide that proper format to provide that information and in a way so that it is not, maybe I could use, biased in one way or the other, so there is a-- a-- a wider, diverse group of individuals that can be-- that the-- that the woman can then reach out to and talk with to give them the information so they can be more informed on making the decision as to where, what they may want to do next with regard to the pregnancy. Is that correct, Senator Albrecht?

ALBRECHT: Yes.

SCHEER: One minute.

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BOSTELMAN: I thank you for that, Senator Albrecht, because I think that's-- that really answers a lot of the questions I guess that I'm hearing on the floor right now, is that it doesn't exist, it's bad, it doesn't work, we're sending people to the wrong places. So what we're going to do with this bill or what you're going to do with this bill is actually create that Web site and create that system that's appropriate, that's used for-- in appropriate ways to-- to give that information in a nonspecific or nonspecified area, as far as we heard it's a church. We're not-- it's not going to go there. It's going to go to physicians, other clinics or whatever it might be that have the-- the expertise, the skill, that-- that practice in this area so that the women can receive information if they so choose. I would yield the rest of my time to Senator Albrecht.

SCHEER: You would, except there's none left. Thank you, Senator Bostelman. Mr. Clerk, do you have a motion on the desk?

ASSISTANT CLERK: Senator Albrecht would move to invoke cloture on LB209, pursuant to Rule 7, Section 10.

SCHEER: It's the ruling of the Chair there's been full and fair debate afforded to LB209. Senator Albrecht, for what purpose do you rise?

ALBRECHT: To invoke cloture and I'd like a call of the house and in numerical order, roll call.

SCHEER: There's been a request to place the house under call. The question is, shall the house go under call? All those in favor please vote aye; all those opposed vote nay. Please record.

ASSISTANT CLERK: 31 ayes, 2 nays to go under call, Mr. President.

SCHEER: 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 Matt Hansen, Senator Vargas, Senator Pansing Brooks, Senator Kolowski, Senator Brewer, Senator La Grone, please return to the floor. The house is under call. Senator Pansing Brooks, Senator Brewer, please return to the floor. The house is under call. Senator Brewer, the house is under call. Please return to the floor. Colleagues, Senator Brewer is on his way. We will stand at ease for a few seconds. All senators are accounted for. Members, the first vote is the motion to invoke cloture. All those in favor-- oh, excuse me. We wanted a roll call in regular order. This needs 33 affirmative votes. Mr. Clerk.

ASSISTANT CLERK: (Roll call vote taken.) Vote is 35 ayes, 11 nays to invoke cloture.

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SCHEER: Motion to invoke cloture is adopted. Next item is the adoption of MO105, oh, excuse me, from AM1875. All those in favor please vote aye; all those opposed vote nay. Now that I've decided, is there anyone else undecided? Please record.

ASSISTANT CLERK: 43 ayes, 3 nays on the adoption of the amendment.

SCHEER: AM1875 is adopted. Last question before us is adoption-- advancement of LB209 to E&R Engrossing. All those in favor please vote aye; all those opposed vote nay. Have all voted that wish to? Please record.

ASSISTANT CLERK: 36 ayes, 9 nays on the advancement of the bill.

SCHEER: LB209 is advanced to E&R Engrossing. I raise the call. Next item, Mr. Clerk. Items, Mr. Clerk?

ASSISTANT CLERK: Thank you, Mr. President. New resolution: LR258 by Senator Erdman; that will be laid over. Your Committee on Enrollment and Review reports LB720, LB720A, and LB436, all to Select File, some with E&R amendments. And a motion to be printed to LB686A from Lathrop. That's all I have at this time.

SCHEER: Thank you, Mr. Clerk. Next item.

ASSISTANT CLERK: Mr. President, LB470A. Senator La Grone would move to return the bill to Select File for specific amendment. That amendment is AM1896.

SCHEER: Senator La Grone, you're welcome to open.

La GRONE: Thank you, Mr. President. When we considered this bill on Select File, we had a number of technical amendments, and the long story short is I withdrew the amendment we actually needed adopted and the result is that currently the A bill actually defunds Senator Wayne's portion of the bill. Obviously, that was not the intent so we need to return it to Select File to complete the fund transfer to fund Senator Wayne's portion of the bill. So I'd ask for your green vote to return, and then on the amendment, and then to advance to Final again. Thank you, Mr. President.

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SCHEER: Thank you, Senator La Grone. Seeing no one wishing to speak, you're welcome to close. He waives closing. The question before us is returning LB470A to Select File. All those in favor please vote aye; all those opposed vote nay. Have all voted that wish to? Please record.

ASSISTANT CLERK: 44 ayes, 0 nays on the motion to return the bill.

SCHEER: LB470A is returned to Select File. Mr. Clerk.

ASSISTANT CLERK: Senator La Grone, AM1896.

SCHEER: Senator La Grone, you're welcome to open on AM1896.

La GRONE: Thank you, Mr. President. This is the amendment that corrects the A bill to complete the funds transfer.

SCHEER: Seeing no one wishing to speak, you're welcome to close. He waives closing on AM1896. The question before us is adoption of AM1896 to LB470A. All those in favor please vote aye; all those opposed vote nay. Have all voted that wish to? Please record.

ASSISTANT CLERK: 40 ayes, 0 nays on the adoption of the amendment, Mr. President.

SCHEER: AM1896 is adopted. Senator Slama for a motion.

SLAMA: Mr. President, I move that LB470A be advanced to E&R for engrossing.

SCHEER: Colleagues, you've heard the motion. All those in favor please say aye. All those opposed say nay. LB470A is advanced to E&R Engrossing. Proceeding to Final Reading, Mr. Clerk.

ASSISTANT CLERK: (Read LB15 on Final Reading.)

SCHEER: All provisions of law relative to procedure having been complied with, the question is, shall LB15 pass? All those in favor please vote aye; all those opposed vote nay. Mr. Clerk, please record.

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ASSISTANT CLERK: (Record vote read.) Vote is 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

SCHEER: LB15 passes. We'll now proceed to LB218E.

ASSISTANT CLERK: (Read LB218 on Final Reading.)

SCHEER: All provisions of law relative to procedure having been complied with, the question is, should LB218 pass with the emergency clause attached? All those in favor please vote aye; all those opposed vote nay. This will take 33 affirmative votes. Have all voted that wish to? Please record.

ASSISTANT CLERK: (Record vote read.) Vote is 48 ayes, 0 nays, 1 excused and not voting.

SCHEER: LB218 passes with the emergency clause attached. We'll now proceed to LB309.

ASSISTANT CLERK: (Read LB309 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB309 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read.) Vote is 46 ayes, 0 nays, 2 present and not voting, 1 excused and not voting, Mr. President.

FOLEY: LB309 passes. Proceeding now to LB538.

ASSISTANT CLERK: Mr. President, Senator Wayne had moved to return LB538 to Select File for a specific amendment.

FOLEY: Senator Wayne, you're recognized to open on your motion to return the bill.

WAYNE: Thank you, Mr. President. If you recall that this is a bill that I necessarily don't like. I'm not trying to take it the distance, but I do want a straight up or down vote. And I'm doing this in a way that I don't want to offend my colleagues from rural Nebraska. My amendment that I'm asking to be put on here came to me over the last couple of days when I was talking about property tax relief to a lot of people. And I say, well, I believe in taxing gambling. If we need to

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have gambling, it should be taxed in a way to reduce property tax. Then I started having a conversation again yesterday with some individuals and they said what about game of skill such as sports betting. I said on the mike that we should tax sports betting. Then they said, why aren't you taxing the gaming machines for property tax relief? I said, well, that would fall in the same realm of my logic and what I've been consistent about and that's what this amendment does. It says that the \$250 fee-- annual fee would go towards the Department of Revenue Enforcement Fund, but the-- but outside of that, 6 percent of the gross sales-- and I got that from Senator Blood's bill-- that was in our committee and that we talked about on the floor-- or in this committee I talked about last time on this bill. Six percent of the gross revenue would go towards Property Tax Relief Fund. And I'm saying this in a way to say I do not mean to offend those who are looking for substantial property tax relief, and I hope my rural colleagues don't take it that way, but in order for me to be consistent, when I say that next year I'm bringing a bill to tax gambling and that we should have gambling and that we should have what I call games of skill, such as sports betting, and we should tax that and anything we tax should go to property tax relief, that's what this underlying amendment does. Now again, let me be clear, I do not expect this to solve property tax problems, but I do think that when the gray area is removed on what is a machine of gaming and what is not a machine, that there will be more machines in this state. And that \$250 annual fee is not enough, that if we're going to treat this device and have the precautions of gaming that it should be taxed and that relief should go to property tax relief. Again, I did not get a chance to talk to Senator Lathrop about this. I had an Exec Session; I wasn't here all morning, I had to run downstairs to hop on another hearing, and I came up here so I do publicly apologize for not giving him a heads up. I think that is the right thing to do anytime you put an amendment. I did not have that opportunity, so I want to apologize for that. But I'm not trying to take this for a while. I just think in order for me to be consistent in what I do and what I believe, this amendment had to be put on here. With that, I would ask for a green vote to move back and a green vote to put this as the underlying bill. Thank you.

FOLEY: Thank you, Senator Wayne. Debate is now open on the motion to return the bill to Select File. Senator Chambers.

CHAMBERS: Mr. President, Mr. President, Mr. President, there was a fellow named Ralph Waldo Emerson, and although it sounds like something that Oscar Wilde may have said, I believe it was Ralph Waldo Emerson, and I stand to be corrected. From having listened to Senator Wayne, everybody knows that if there's one thing he does not have, it's a little mind. Now that can be taken two ways: not even a little mind. But if that's what I meant, that's what I would have said. The statement was: a slavish consistency is the hobgoblin of little minds. I think we should save Senator Wayne from himself. Not that he doesn't know what he's doing, but he feels an obligation, based on what he said, to do this. I sometimes do have a little mind. And my little mind was distressed because I had to be in Exec Session with the Judiciary Committee when that LB209 was going forth and I did not have a chance to read what I wanted to read. But

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because the way things are going now this session, it's appropriate for me to read it. This is just one part of it, it's much longer than this. If the tables turned and men got pregnant, laws would cause no friction. All abortions would be in, and that without the least restriction. Everywhere one turned there would be a place to help a man abort, regardless whether pregnancy resulted from a rape or sport. Burger King, McDonald's diversify a pregnant bloke at their stores, abortion could obtain with burgers, fries, and coke. If in fact the truth be told, convenience would be paramount and none would criticize or scold and there would be no running count. If males had abortions none, that fact would see the need to hide. Like gunslinger's notch on gun, each would be a mark of pride. We know good and well that if abortions could be had by men, we wouldn't have this nonsense because men wouldn't take it and women wouldn't dare to bring all this craziness that they've been hoodwinked into bringing which makes them traitors to their own gender. This idea of all this abortion nonsense did not originate with women. And what they don't know is that the Catholic Church didn't even think the same thing of women that they thought of men, and you all don't know it either, because you didn't read the Catholic encyclopedia as extensively as I did. A male fetus was ensouled, e-n-s-o-u-l-e-d, received a soul at an earlier stage than a female. Now, if a male received a soul at an earlier stage than a female, that male fetus, or embryo would have been at that point, was protected from abortion if there would be one. But since a female received a soul later, then if there was some way to determine that this was going be a female child, you could abort and you were not destroying a human being because it did not have a soul.

FOLEY: One minute.

CHAMBERS: Did you know that was in the Catholic doctrine at one time? If you doubt it, read it. Y'all don't read anything except what they spoon feed you like pabulum, then you take it and run with it. But I'll tell you what, I bet if you were of child bearing age and you were raped, you would want an abortion and you'd get one too. And there would be a Catholic doctor who would perform it, because when I was at Creighton, I knew a doctor who performed abortions on Catholic girls who got pregnant and their families had money. I know what I'm talking about. And I know the hypocrisy. And you women don't know, because you don't read and they're not going to tell you. They pop their finger and you jump. Then when it gets popular to pass all these crazy bills,--

FOLEY: It's time, Senator.

CHAMBERS: Then men-- oh.

FOLEY: Thank you, Senator Chambers. Senator Lathrop.

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LATHROP: Good afternoon, Mr. President and colleagues, Senator Wayne. I think this might be like the eighth run at this bill by Senator Wayne. Sometimes he stands up and says I'm for gambling, and then he drops an amendment. Then he says I don't like these machines, then he drops an amendment. Today he is dropping an amendment on Final Reading and telling you it's property tax relief. Kind of like we've turned the latest incarnation of a speed bump into pandering to people who had a bad day yesterday. I, of course, appreciate the effort to provide for property tax relief. If we're going to try to tax these machines, then it ought to go through the Revenue Committee or through the General Affairs Committee and we ought to have a hearing on it and talk about what they raise and where the money should go and that sort of thing. This is just another attempt to derail the bill. And I hope you'll give it a red light and support LB538 on Final Reading. Thank you.

FOLEY: Thank you, Senator Lathrop. Senator Clements.

CLEMENTS: Thank you, Mr. President. First of all, the amendment is not showing up on my computer screen. I get an error message when I try to read it, so I haven't been able to read it. But second of all, I do oppose expanding gambling. And even if it provides some income tax relief-- property tax relief, I think the-- we have seen in other states the-- you got the problem gambling commission here that we have to fund each year, even the small amount of gambling we do have still causes problems, and to me it's not worth the money that we might take in for these social costs that we get to have to deal with. So I oppose the motion, and I'm not-- urge you to vote red. Thank you.

FOLEY: Thank you, Senator Clements. Senator Chambers.

CHAMBERS: Mr. President, members of the Legislature, most of you have heard the term Pandora's box. To oversimplify, and I mean it as an oversimplification, that's when you start something and there's more that emerges than was anticipated. Senator Wayne's motion opens a Pandora's box and out popped property tax. I'd like to ask Senator Briese a question if he would respond.

FOLEY: Senator Briese, would you yield, please?

BRIESE: Yes.

CHAMBERS: And remember, I said respond, I didn't necessarily say answer. Senator Briese, have you ever heard of a former Senator named Terry Carpenter, and he was referred to as



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Terrible Terry and he came from Scottsbluff and had an area known as Terry Town, had you ever heard of him?

BRIESE: Yes, I have.

CHAMBERS: He had quite a large reputation, didn't he?

BRIESE: I believe so, yeah.

CHAMBERS: I'm going to tell you one thing Terry Carpenter delighted in saying, and because the people here are not in a position to have heard Terry, I won't try to imitate his voice, but he said: politics is a dirty double-crossing game and that's why I love it. Now, Senator Briese, here's the question I will put to you: Do you believe that Terry Carpenter may have had a point when he said politics is a dirty double-crossing game? Do you think he had a point or you think he was just out of his head?

BRIESE: I wouldn't say that it is a dirty double-crossing game, but it can be.

CHAMBERS: And that's all that I'll ask of you. Thank you. Members of the Legislature, there are critters out there and somebody told me when I wasn't on the floor that a senator in speaking against hemp said if you feed the hemp and these animals get it they'll eat their young. I thought that was preposterous. But then as I saw some things happening subsequent to that, as recently as yesterday, maybe there was a point to that. I have said I don't know how many times that you cannot trust people in the Legislature. You cannot take them at their word. That they will look you in the eye and lie. Now sometimes a person may believe an individual because he or she is naive or may have doubts but hopes against hope that this once, what the person says, can be relied on. And then, even though there are warning bells that sound in his or her head, metaphorically speaking, that person will take the plunge and will commit himself or herself to a course of conduct relying on the other party to deliver. A man once told me that there was a certain group of people who would teach their children not to trust anybody, so whenever one of them had a child of a certain age, the child would be placed atop the refrigerator, they called them ice boxes in those days, and would stand with arms outstretched and say, okay, jump. Then when the child jumped, the father would move his hands--

FOLEY: One minute.

CHAMBERS: --and the child would fall on the floor. And then the father would explain, don't trust anybody. It's too bad that some of my colleagues did not have that lesson brought home and

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that they ignored all of my warnings of what will happen around here. Well, this is not the bill for me to go into all of that. This is something like what they call a trailer. So all I can say, brothers and sisters, fasten your seat belts, tighten your chinstrap, because before this session is over, we're going to talk about perfidy, dishonesty, untrustworthiness, treachery. Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. Senator Wayne.

WAYNE: Thank you, colleagues. This isn't a-- thank you, Mr. President-- this isn't pandering anybody who lost yesterday. The fact of the matter is, Senator Lathrop, this Legislature isn't the same Legislature that was when you were down here before. We think differently; we think independently; and at the end of the day, I don't get on the mike and question one's integrity. But to do so probably means I should run this the whole time; probably means on LB686 let's have a conversation about all my bills in there and let's start dividing the question, let's drag this out. Because that's what happens when people start getting personal. That's not what I do. What I said from day one is I didn't like this bill. I never took it to a filibuster; in fact, I stopped a conversation between Senator Chambers and I to make sure your vote count didn't increase. But what you didn't say on the mike is the last time that I took an hour and a half to allow the compromise to go on between senators-- and I won't mention them because they didn't mention it-- but allow it to change it and amend it to make sure the bill can move forward. The fact of the matter is I have said from day one, I have gambling in my backyard. You don't have to cross the river no more, you can just go to Carter Lake. And I have always said from day one, whether it's gambling or game of skills, it should be property tax relief. You are trying to address what you consider a gaming device, a gambling issue. We have so much concern that we are limiting it to a number per square foot. Everybody in here has got an e-mail about this is going to double. We take out the gray area, you add more machines, and we don't know what that revenue is going to be. You are absolutely right. But the point of it is if it's a gaming device or a game of skill, it should be taxed and it should go to property tax relief. And to think that I'm pandering when I've been the one who has been here many times at night sitting in Revenue, trying to solve conversations, having late night conversations with many rural senators about how to solve this property tax issue, the fact that I drove here, drove back home, and drove back here to work on issues-- I'm going to keep my light on, we're going to go the whole time. And on LB686, we are going to talk about my bills that in committee I said I was going to work on are part of the amendment that I kicked out and the issues with those bills. And we will slow this thing down. And I did tell the Speaker, don't schedule my stuff tomorrow; if hemp doesn't pass because of it, that's fine, because I put too much time to be down here and built my integrity down here to say that I'm pandering to people who had a bad day yesterday. Because like I said yesterday, when you are a "W" you take the tough votes. When you go reverse order, you are the first one up. When you go regular order, you sit there and get blamed, although there are other Democrats who take votes, but they are hidden in that big list. I'm the one who's called out, and I've stayed

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by my side and stood here every time and took those votes. Ask Senator Chambers how many times he came over and said he's disappointed in me because I was the 25th or 33rd vote. So, Mr. Speaker, if the schedule is messed up, it is what it is today. We will talk about whatever I feel like talking about. We will file motions and we will go the distance and you'll get 33 and you'll move this bill forward, but so will the next bill because I don't operate that way. I did it for two days this session because I was lied to, but now my integrity is being questioned. So all bets are off.

FOLEY: Thank you, Senator Wayne. Senator Chambers.

CHAMBERS: Mr. President, members of the Legislature, nothing could make a, quote, father happier than to see his, quote, son rise up in indignation, stake out his territory, and make it clear that there's some lines, which if crossed, will be crossed at the crosser's peril. Now I'm not going to instigate anything. I'm not going to agitate anything. But if I were a pyromaniac and a fire was to be on the scene, I couldn't help going there and watching it and admiring it, even though I didn't set it. See, if I set the fire and it was somebody else's property, I'd be an arsonist. If I merely love to watch flames, then I'm a pyromaniac. I have that mania. This Legislature does things, and I think people who comprise the Legislature will do things without being aware of the seriousness of what it is they are doing, because most of these people lived a privileged existence, and words can be dropped willy-nilly, and they are just words. But when you come from a different experience, then words take on a much deeper meaning, because the people who utter those words are in a position to do harm to you, and sometimes words convey a warning or convey a threat. And if you decide to resist, then it's not that person you deal with, they can call in the local constabulary, otherwise known as the police. For example, if you and your child are in a communal swimming pool in an apartment complex where you live, they can call the police, and they will come to you. If you have a little daughter who's on a corner where there's nothing that prohibits her being there and she is selling bottled water to get the money to go on an excursion or outing, a white woman can call the police and they will come and accost that little girl. If you're a grown man, such as myself, and Senator-- I don't know if his name should be mentioned here, because I don't want him to cast that gaze on me, but I'll go ahead and say it, if Senator Wayne and I were at Carter Lake and we were going to have a barbeque and some white woman was suspicious, she would call the police and here they come. What are you doing here? What are all those white people doing? Then there might be a good-natured white person or a black person passing for white who will come and say, wait a minute, when I saw this woman looking at them, I thought she was going to do this. So now that she did what I thought she did and called the police, I'm going to tell you they were not doing anything that not everybody else was doing and you didn't go to anybody else, all doing the same thing, but they have the right complexion. Now I don't go into these coffee shops where you pay \$15 for a cup of coffee that they froth up, Starbucks or "warbuck" or something like that. If you-- and when I say you, Senator Wayne, again, and myself are sitting at a table waiting for another of our number to

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come, the manager can call the police and we will be accosted and taken out of there by the police. So when white people get upset, they don't have to handle us.

FOLEY: One minute.

CHAMBERS: If I did something you all don't like, and I'm saying it advisedly, I think these troopers have more sense than to respond to idiocy. But in other situations, they-- you all could call the police and they'd come in here and grab me. And you know the only thing that was-- would be said, somebody is in there making trouble. And the cops would come storming in here and all they'd do is look around and they see a black man standing up, he's got to be the troublemaker and they'd throw me down, and maybe I was the one who was trying to stop the trouble. Those things happen. White people need to be ware. And if you are not ware or wary, then consequences will flow. And black men don't have to swallow spit, take low, and shuffle feet, and throw sand, and come shuffling toward you and say, boss, I'm trying to be cool, I just graduated from the cool school, won't look you in the eye. Well, it's a different day that has dawned. And whatever Senator Wayne undertakes to do,--

FOLEY: That's time, Senator.

CHAMBERS: --he's my young brother, I'm going to assist him.

FOLEY: That's time, Senator.

CHAMBERS: Thank you, Mr. President.

FOLEY: Thank you, Mr. Chambers. (Visitors introduced.) Continuing debate, Senator Friesen.

FRIESEN: Thank you, Mr. President. I just couldn't resist, Senator Wayne. I rise to the bait. I will not get into the middle of-- between the Judiciary Committee, but I do want to talk a little bit about gambling. And I don't care where you are sending the money. You can call it pandering if you want, not to me, it doesn't-- I'm good with that. Gambling, you know in the past, I have been asked that question numerous times and I've probably been on both sides of the argument. I could probably go to both sides today. When you look at-- I have friends of mine that they go to the boats in Council Bluffs two or three times a month. And ever time they go, they take a picture of one of those plaques on the wall that shows how much money is sent to the county, the city, the state, and they rub it in that they're spending Nebraska money in Iowa and we are not collecting that tax, and the parking lot is full of Nebraska plated cars. So I guess you can say we deal with the problem, but we don't get the revenue, because they go there to gamble anyhow.

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You can put gambling machines in Grand Island, I won't gamble any more than I do today. I gamble enough farming and the stakes are higher and the odds are less. But in the end, people choose. You know, I choose-- sometimes, you know, people go gambling and they'll say they will take so and so much money, it's like dinner and a movie, and they go out and they spend money, they gamble, they go home. I have been at places in Las Vegas and South Dakota where I have seen people go back to the ATM machine and just keep taking money out, thinking they are going to make it rich, and they don't. So it takes all kinds of people and affects everybody differently. And, yes, we are going to deal with some problems if we have it. But now we've just got a steady stream of plane loads of people going to Vegas and driving to Council Bluffs and they gamble there, and we still deal with the damage back home. So, I think it's something that in the end we need to address. It's probably going to be on one of the ballots, maybe, this next election, I don't know, along with the marijuana bill. But maybe it will drag people to the polls and we'll maybe get a half-- maybe over 50 percent turnout once or something, I don't know. Maybe people will take an interest. But it is something I think we need to look at; and where the revenue goes, I'm ambivalent to that. We'll deal with property tax eventually. I've been here long enough to know we're maybe not going to solve it in my eight years here, but we're going to work on it and we'll keep working at it. But again, this is one of those issues that's come up here forever, as long as I have followed the Legislature, we have talked about it, it's come up numerous times in the petition drives, it has never passed. So, I look forward to the debate the rest of the day, and with that I'd yield the rest of my time to Senator Wayne.

FOLEY: Thank you, Senator Friesen. Senator Wayne, 1:40.

WAYNE: Thank you, colleagues. And I'm not going to get into the Judiciary issue, because there are bills I can talk about that on. But I would invite anybody to get up and let's have a conversation about property taxes. Let's have a conversation about income taxes. We can have a productive conversation, or we can have me just talking. Either way, I'm an attorney, I stand up all the time and talk; I can go for however long I can go for, and it's pretty much all day. So we can have a constructive conversation, or we can't. It doesn't bother me, but at the end of the day, there are just certain things as a black man I'm not going to let happen. So, take that how you will. So let's look at our exemptions, and that's where I'm going to be at for a while and then we'll talk about--

FOLEY: One minute.

WAYNE: --why this is important and how it all ties back. Before I go there, let's talk about-- does anybody have an idea of how many number of games we actually have? No. We heard about the debate from Senator Albrecht there's a fear of too many games getting here. We limit it to a certain square footage. But just factor that into the number of buildings and gas stations we

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see along I-80 and every city that we are in. Now, times that number by-- let's say they make \$10,000 a year. You factor the number of gas stations and VFWs and places we have, there is a significant impact. Is it what most people probably want for some type of relief? Absolutely not. But at the end of the day, we are being consistent, at least in my eyes, around the notion of gaming, skilled game, and everything else. Now, I know I only have about 30 seconds left but let me tell you why I'm going to sit here and take this for the rest of the time in a minute.

FOLEY: Time. Thank you, Senator Wayne. Actually, you're next in the queue, Senator Wayne, you may continue. Five minutes.

WAYNE: Thank you. So many people don't know how we got to the hemp bill, but Senator Brandt knows that at one point I spent the entire weekend rewriting the entire bill, not through Bill Drafting, I actually crafted it. I spent my recess working at a construction site hopping on an hour-long phone call with Senator Hilgers. And I know everybody makes sacrifices, but at the end of the day, we sacrifice a lot. And I worked pretty hard to get these bills to Final Reading, so much to come here and have them yesterday and then come back and move them off Select to fix somebody who came literally in at the last hour, and I wrote a whole new section. But I am willing to give all of that up. I'm willing to give up this entire session for everything that I worked for, including LB86, which is my priority bill that is sitting on Final Reading for tomorrow because of a public statement that I'm pandering to somebody, because I am just making up stuff to have an attack on my integrity. Well, where I come from, that's pretty much all you got. So we will spend time. We will spend time on every bill because I already know that if I go too far, my amendments might not be up tomorrow and my bills won't. And for Senator Brandt, I apologize for you wasting your priority, but that's who I am. And those who know me who are watching know that I will go the entire time and keep us here until midnight. I have another motion already filed to enact the-- to strike the enactment clause, and I will keep filing motions and you can keep calling the question, and we can get to a filibuster, and you can get your 33. But I've sat here and watched for two years, let's talk about the most important issues, and it gets to the floor, and we can't come to an agreement. Just this morning, when I got here, before I walked into Exec, I stopped Senator Friesen, had another conversation about property taxes, and what I have here is the tax expenditure report. And I said, Friesen, get me through Final Reading. I'm going to read through everything and I'm going to see what we can come up with so we can have a productive conversation, even if it's just the last day. So I guess I'm going to have that on the mike. And I know some people might say I'm burning political capital and I might lose a lot, but I am what I am, as Senator Chambers always say. We have a tax issue in my community and in communities across this state, we have a TEEOSA problem that nobody paid attention, in my opinion, to the-- what was handed out by Senator Linehan, we are treating kids unfairly from a state perspective. So, we got two days, and then we got the third day and whoever's bill is lined up, I'm not going to apologize, because yesterday I took a vote and people got mad, and the day before that took a vote and people got mad. But the people who know I

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took that vote for on both days know that I kept my word and I have integrity and that's what it's about today. This wasn't supposed to turn into that. In fact, I was planning on pulling it, like I did every single bill except for one amendment on this bill. I never took it the distance, I gave him his vote, but we crossed a line that can't quite honestly be undone.

FOLEY: One minute.

WAYNE: So, in the future, if I come back here and I lose my Chairmanship and we do everything, I'm okay with that, because I get to look in the mirror and say I fought for my integrity. So, will Senator Friesen, I only got a minute left, Senator Friesen, will you yield to a question?

FOLEY: Senator Friesen, will you yield, please?

FRIESEN: Yes, I would.

WAYNE: I'm going to let you start off, we'll get cut off, and then we'll keep going, but I want to hear more about your property tax relief and the ideas that you have around that. And if you don't want to engage in that, I can go to Senator Erdman. But I think we need to have a productive conversation versus me just talking, and if nobody wants to engage, I will continue to talk.

FRIESEN: I guess I would be happy to. I mean, we've engaged in this debate for five years now, and we had an issue, and it is with TEEOSA. It's not, maybe, that TEEOSA is broken, but TEEOSA wasn't designed to handle a spike in land values, no more than it would be capable of handling a spike in housing prices--

FOLEY: That's time, Senators.

FRIESEN: Thank you, Mr. President.

FOLEY: Senator Erdman.

ERDMAN: Thank you, Lieutenant Governor. Interesting conversation. I'm going to change gears a little bit. I have a good friend back home that's going to be indoctrinated-- inducted, excuse me, into the Professional Cowboy Hall of Fame in August and I have a resolution I'd like to read that. Whereas, Dean Gorsuch will be inducted into the Professional Rodeo Cowboy Association Hall

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of Fame in August, 2019; and whereas, Dean Gorsuch was born August 31, 1979, in Mullen and grew up on a farm near Alliance; and whereas, Dean Gorsuch participated in rodeo at Alliance High School and where he graduated in 1998; whereas, Dean Gorsuch participated in rodeo at and graduated from Eastern Wyoming College; whereas, Dean Gorsuch started full-time in the Professional Rodeo Cowboy Association in 2002; and whereas, Dean Gorsuch won the Professional Rodeo Cowboy Association World Champion in steer wrestling in 2006 and 2010; and whereas, Dean Gorsuch won the Ram's National Circuit Finals title in 2006 and 2008; and whereas, Dean Gorsuch competed in the Wrangler National Finals Rodeo eight times; and whereas, the American Rodeo which pays out the highest purse in rodeo competition, and Dean Gorsuch qualified for the first American Rodeo in 2014, finishing second in steer wrestling in Dallas, Texas; and whereas, Dean Gorsuch resides in Gering and teaches welding at Eastern Wyoming College; and whereas, Dean Gorsuch is an exemplary husband, father, friend, college instructor, and man of faith. Now, therefore, be it resolved by the members of the One Hundred Sixth Legislature of Nebraska, First Session, that the Legislature recognizes the outstanding achievements of Dean Gorsuch in the competition and sport of rodeo; and that a copy of this resolution shall be sent to Dean Gorsuch. Congratulations, Dean. Thank you.

FOLEY: Thank you, Senator Erdman. Senator Bostelman.

BOSTELMAN: Thank you, Mr. President. I will take this time to thank Senator Wayne a little bit for bringing this topic up and discuss this on adding the taxes on to these machines. I think what's very interesting with this is that we don't like the machines, we don't want the machines, and people are going to spend money on the machines, because if we pass this bill, they are going to have the machines, but we don't want to tax the machines that can bring money in to help us in whatever area is decided upon for those funds to go. In LB183, it was fought, well, we don't want to tax pet related services. We don't want to tax storage. We don't want to tax moving. We don't want to tax hair care and beauty, nails, spa, tattoo, maintenance, single family housing maintenance, interior design, limousine, taxi, ride share, lawn care, garden, landscape, parking, swimming pool, dating, teleflora, wedding planning, weight loss, personal training, clothing alterations, motor vehicle repair, candy, soft drinks, bottled water, ice, fine art, museum purchases, dry cleaning, and on and on. We don't want to tax any of them, and we don't now want to tax-- we don't want to tax these machines that nobody likes, that people are going to spend money on, put money in wherever it is, it potentially could be a large amount of tax revenue coming in, and we don't want to do that either. We want to raise our budget. We want to put more money in, but we want to reduce spending. We want to tell our local taxing authorities you got to cut, but we can't cut at the state level. We want to give millions, hundreds of millions of dollars in tax incentives out, but we don't want to tax these machines. Really? That doesn't make any sense to me. This is something that a person on their own would go and spend their money on. It's not taking away from food or any of those other items. If they are going to be in the state, if they are going to be legal, if this is what we are going to pass and have-- allow these



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people to do this, and it's not gambling, why not tax it? Now, I know there's going to be certain people in the body saying, oh, you can't do that, you can't tax something. Well, folks, what are we going to do? What happened yesterday was, as far as I'm concerned, was horrible. We are stuck in this circle of despair, if you will, and we can't tax anybody. We can't take exemptions that's taxes owed, but we've exempted them-- the state has decided to exempt them, we can't bring that money in. We got to raise our budgets. We got to spend more money. But then we got to tell them they got to cut. And oh by the way, our schools, you got to reduce. But we're not going to give you any money. What in the world are we doing? I don't like taxing any more than anybody else, but when there's an opportunity, a creative solution that brings in something that we haven't thought about before, that hasn't had this before, I think it's worth a worthy debate. I think it's worth discussing. I think it's a worthy idea. What are you going to do? I have got an article in the paper that I wrote, you all might want to read it, some of your names are in it, because I'm pissed. All right? I'm not happy. We came here-- when I came here two years ago--

FOLEY: One minute.

BOSTELMAN: --every one of the freshman senators sat down and said our number one thing is property tax relief. And I bet a lot of you did too, but none of you want to do anything about it, because we can't raise taxes. We can't do exemptions. We got to raise our budget. What are we going to do? We got to find some solutions somewhere. You go out in the lobby and the state chamber is out there saying no, no, no, no, no. Really? You go down the hall, the Governor says no, no, no, no, no. Really? Okay, what's the answer, folks? We can't keep doing the same thing. We have got to work together to find a solution. Here is my solution: you lock those doors, you lock those doors, everybody gets out of here, but those who really want to make a difference and want to do something with taxes and figure out how to fix TEEOSA, how to do something for the state, and let's get it done. Senator Wayne said that before.

FOLEY: That's time, Senator.

BOSTELMAN: Thank you.

FOLEY: Thank you, Senator Bostelman. Senator Moser.

MOSER: Good afternoon, colleagues, glad to see you are all in such a fine mood this afternoon. The taxation of-- or the document stamp that these machines require, I checked with Senator Briese, and his staff are looking into the numbers. But if I recall correctly, there were around 4,500 of these machines and the fee on each machine is about \$250. So if you multiply that out, it comes out to about a million, 125,000 or thereabouts. So this isn't exactly insignificant. I mean, that's-- the total gambling revenue, the tax revenue that we take in as a state is around \$52

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million. So this is going to add another million, even if you don't call these gambling machines, it's closely related if you are not going to call them gambling machines. So it's nothing to sneeze at. And when we talked about fantasy sports, I voted to bring fantasy sports out of the committee because I think that the demographics of those who play fantasy sports are different than the ones that play Bingo or the people who go to the casinos. I think they are younger and more affluent citizens and they are going to play fantasy sports anyway. And as long as they are going to play fantasy sports, why don't we tax them? That was my argument there. That would have brought, I think, way more money than 6 percent of these gray machines. That being said, if we are going to bring up something on Final Reading to tax the revenue of these machines, which we never really considered or suggested, that I recall, in committee, Final Reading is a little bit late to bring that up. So it's not that I don't want to do something about property tax. Some of the best and most experienced senators who had backgrounds in it couldn't come up with a plan that-- first of all, they couldn't come up with a plan they could get passed, any plan. If it was 1 percent, 2 percent improvement, whatever, and then the plans that did come forward were 1 percent, 2 percent, which when property taxes are off by 50 percent, probably, are not bold enough to really make a difference. So, I guess I object to the amendment for a varied number of reasons. It's a little late in the process to bring it up. I think it should have been considered earlier. I don't think Nebraska does that badly in taxing gambling, because we are taking in \$52 million. In Iowa they take in \$350 million, but they have 1.65 times the population. So, if you multiply our \$52 million times 1.65, then that's about 85 million that we would take in had we as much population as Iowa has. So, gambling is supporting some expenses for the state. I don't know that 6 percent of the total revenues of these gray machines would make that much difference in property tax. I think we need to sit down and come up with a bold plan that really makes a difference rather than trying to be like a bunch of little piranha and nibbling around the edge of the whale and not getting the problem solved.

FOLEY: One minute.

MOSER: Thank you.

FOLEY: Thank you, Senator Moser. Senator Lathrop.

LATHROP: Thank you, Mr. President and colleagues. We are on Final Reading. This thing has been run the distance at each stage, and before it ever had an opportunity to get to this floor, it was the subject and the object of a great deal of work. It's been the object of a great deal of work since it's been to the floor, and I think I have had to defend this bill for the duration each time it's come up and I am invested in it, as you might expect and as you probably would be too. In my previous remarks, I suggested that Senator Wayne was pandering to the people who had a bad day yesterday, and Senator Wayne has taken that as questioning his integrity. Senator Wayne, I'm

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not questioning your integrity at all, and to the extent you think I have been, I apologize for that. I want to see this bill pass. I have defended it from poison pills, I have defended it from amendments, and I have done it on General and Select and now Final Reading. I would like to see this bill move. I hope you will oppose AM1973. Thank you.

FOLEY: Thank you, Senator Lathrop. Senator Linehan.

LINEHAN: Thank you, Mr. President. I have a great deal of respect for Senator Lathrop and Senator Wayne, so I don't want to-- I'm hoping they can work that out. I have some other things going on today. So I really don't want to be here until midnight. But with that said, I will ask, if Senator Wayne is willing, I would like to ask him some questions, because I don't know that much about the subject we're speaking about.

FOLEY: Senator Wayne, would you yield, please?

WAYNE: Yes.

LINEHAN: So, the subject here is-- OK, I get machines. I don't gamble even when I go to Las Vegas, so I don't understand this. What do these machines do?

WAYNE: So, this bill will separate out between actual gambling devices and games that are games of skill. So like BankShot and other games that you can play and get some type of reward for, but not cash value, but it is a game of skill. And what this bill says is you get to pay \$250, or the manufacturer does, to the Department of Revenue; they determine whether it's a gaming device or not. If they determine it's not, then you can place them in your building or whatever. And Senator Albrecht amended it to say that it can only be so many per machines out of fear that this is going to grow tremendously, correctly so. So these games are being played, and they can generate anywhere from \$100 to \$20,000 or more. We don't know, because we don't have an idea of what it is, so we are trying to regulate that. And all my bill says-- all my amendment says is we should tax it. We do it with everything else, you get licensing, you get alcohol, you get a license to sell alcohol, but we still tax the alcohol on sales. We do it everywhere else in every other industry when there's a license to have it, you still tax it after that. I'm being consistent and I'm being consistent with the state law of Nebraska.

LINEHAN: So we don't tax any of the revenue that these--?

WAYNE: No.

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LINEHAN: Who gets the revenue?

WAYNE: Well, oftentimes, VFWs and other charitable organizations, but we're finding more and more they're getting in actually gas stations and other places where they can go in and put a couple of dollars in, or whatever, and play them, but there's no tax on it.

LINEHAN: And these machines are not necessarily owned by nonprofits then.

WAYNE: Not necessarily owned by nonprofits, correct.

LINEHAN: So a for-profit business could have these machines and be making up to \$20,000 on a machine, and we are not taxing them.

WAYNE: Potentially, yes.

LINEHAN: OK. Well, I would be very interested in looking at that in the Revenue Committee. I yield the rest of my time to Senator Wayne.

FOLEY: Thank you, Senator Linehan. Senator Wayne, 2:20.

WAYNE: Thank you. There's kind of some conversation about why we haven't looked into this tax. The reason we haven't looked into this tax is because we are not currently regulating it. So, there's no way for us to know. And if you recall Senator Lathrop's introduction to this, it's State Patrol are trying to figure out whether it's gaming or whether it's gambling or whether it's a game of skill. And they are not equipped to go in and really do that. It's up to the local county attorney or the AG to do that, and they're still struggling with it, because they are everywhere. If you go down I-80 and stop at multiple gas stations, they are everywhere. And that was what prompted Senator Albrecht's fear of them being everywhere, is saying we've got to limit this somehow. And that's all I'm saying, is that if they are going to be everywhere, if they are going to be anywhere, there should be a tax on it. And I agree that at this point we shouldn't raise taxes to put in general revenue funds, we should probably raise taxes to lower property tax. I would rather fund TEEOSA, but how I rather do it is do property tax through TEEOSA, but I can't get that done on Final Reading. But I thought this was a simple amendment to say, if you're going to have the machines, let's tax them. Thank you.

FOLEY: Thank you, Senator Wayne. Senator Halloran.

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HALLORAN: Thank you, Mr. Lieutenant Governor. Since-- I was asked a little bit ago to video Senator Erdman when he gave his legislative resolution, so to find a good location to do that, I asked Senator Chambers, since he never uses his chair, if I could sit in his chair. I don't think anybody has ever been privileged to do that, so thank you. Since he yielded me his chair, I'm going to yield him the balance of my time.

FOLEY: Thank you, Senator Halloran. Senator Chambers, 4:30.

CHAMBERS: Thank you, Mr. President; thank you, Senator Halloran. And before you spoke, a message was given to me that there were two reasons that whoever had given the message knew that it was not me in my chair. I said what's the first one? They said, well, you don't sit down. I said, well, what's the second one? They said, well, you don't wear a suit. That's how they knew it wasn't me. But at any rate, this is an opportunity to reemphasize something that people have heard even if they haven't said it: actions bear consequences. Yesterday, I was in my office watching all of that scrambling and maneuvering on LB720. When it was to be voted on by the Exec Board to be one of the Speakers extra special bills, whatever it's called, at first I had signed without realizing exactly what all was entailed with that specific bill. But what really got to me was that the introducer of the bill can control the amendments that are offered, and the order in which they would be taken. And that's giving too much of a thumb on the scale, so to speak, it's placing the entire palm on the scale, then leaning on it with all your weight. Because of that, and I'm not going to say that's the only reason, but an amendment that I was going to offer never was heard and it never will be heard because nobody with a bill like that would even want to touch an amendment like this. That bill says something like whoever is going to get this giveaway from the state, these businesses, they have to agree not to violate any law or rule against discrimination that's federal or state. But since not all groups are protected by federal law and state law from discrimination, then I wanted to specify, and this is the amendment that I had crafted. There would be no discrimination on the basis of race, and by the way, all I did was listed out all of the protected classes, so called, and then included the ones that are not protected by state or federal law. And since these companies are getting a handout, they should be willing to do the right thing, and especially since we had discussions on the LGBTQ bill that businesses are leading the way, so they would not object, but I think members of the Legislature would. There would be no discrimination on the basis of race, color, creed, religion, ancestry, sex, marital status, national origin, familial status as defined in Section 20-311, handicap as defined in Section 20-313, age, disability, sexual orientation, or gender identity. Nobody carrying a bill like LB270 wanted that. By giving the one who sponsored the bill the power to determine which amendments--

FOLEY: One minute.

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CHAMBERS: --will be taken in the order, I'm not going to say this is what the current sponsor of that bill would do. That person could craft a number of amendments himself, and put them on, and they would all precede this amendment that I have, even if they were laws. Get the bill in the condition that's wanted, then put all these other amendments up himself or have somebody do it, and they would never get to this amendment of mine, and that's how they tip the scale, it's how they stack the deck, and it's how they get what they want through the corruption of the legislative process. And unlike my young friend, Senator Briese, I don't trust these people. Too much is at stake when big shot lobbyists are backing a piece of legislation or opposing it. Thank you, Mr. President, and thank you Senator Halloran.

FOLEY: Thank you, Senator Chambers. Senator Wayne, you are recognized to close on your motion.

WAYNE: Thank, Mr. President. Colleagues, I do accept Senator Lathrop's acknowledgment of what happened. And I do recognize I wasn't planning on going to a vote for this bill, and then when I introduced it, I was like, let's just see what it's out there, and then it kind of turned a little different. But here is where I'm at with this bill. We don't know how many out there are regulated. And I do agree with Senator Linehan, we should have a hearing in Revenue about it. So next year I will bring a bill that will deal with this and all gaming devices and we will have a hearing, we will let those come in and tell us how much they get, how much they, maybe, lose, which I don't know how they would lose, but I'm sure somebody is going to come in and say they will lose money, that always happen in Revenue somehow. So I do need to say that two years, three years in this body, I have been treated different on my side of the aisle. And for that I do apologize, Senator Lathrop, for being the tipping point in which I had to respond. And many of you know what I'm talking about from my first vote, where I was 33 even two days ago, but there have been consistently in which a couple of us, and I'll say it that way, are being treated different in this body by particular sides. And I'm not going to let it happen anymore. So if I come out a little aggressive on something, I'm telling you now that is the history. That is the history where I take a vote and other people who are from the same party takes a vote and they get a pass, but for some reason I'm expected to be different? It's fundamentally wrong and I'm done with it. And when somebody intentionally, accidentally, may come across to me as attacking my integrity, I'm done with it. We have to raise the standards in here and we have to raise the standards on both sides. With that, Mr. President, I do withdraw my motion and the following motion after that.

FOLEY: Thanks, Senator Wayne. The motion is withdrawn. Members, we are back on LB538 on Final Reading. Everyone please be at your desks for Final Reading. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing with the reading vote aye; those opposed vote nay. Record, please.

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ASSISTANT CLERK: 33 ayes, 7 nays to dispense with the at-large reading, Mr. President.

FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title.

ASSISTANT CLERK: (Read title of LB538.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB538 pass? Those in favor vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: (Record vote read.) The vote is 44 ayes, 0 nays, 3 present and not voting, 2 excused and not voting, Mr. President.

FOLEY: LB538 passes. Proceeding now to LB538A.

ASSISTANT CLERK: Senator Wayne, did you wish to withdraw that amendment as well?

FOLEY: Motion is withdrawn.

ASSISTANT CLERK: (Read LB538A on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB538A pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read.) The vote is 44 ayes, 0 nays, 2 present and not voting, 3 excused and not voting, Mr. President.

FOLEY: LB538A passes. Proceeding now to LB600E. Mr. Clerk, the first vote is to dispense with the at-large reading. Those favoring dispensing of the reading vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: 35 ayes, 6 nays to dispense with the at-large reading, Mr. President.

FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title.

ASSISTANT CLERK: (Read title of LB600.)

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FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB600E pass with the emergency clause attached? Those in favor vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: (Record vote read.) The vote is 39 ayes, 0 nays, 8 present and not voting, 2 excused and not voting, Mr. President.

FOLEY: LB600E passes with the emergency clause attached. Proceeding now to LB600AE.

ASSISTANT CLERK: (Read LB600A on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB600AE pass with the emergency clause attached? Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

ASSISTANT CLERK: (Record vote read.) The vote is 35 ayes, 0 nays, 12 present and not voting, 2 excused and not voting, Mr. President.

FOLEY: LB600AE passes with the emergency clause attached. Proceeding now to LB641.

ASSISTANT CLERK: (Read LB641 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB641 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read.) Vote is 41 ayes, 0 nays, 6 present and not voting, 2 excused and not voting, Mr. President.

FOLEY: LB641 passes. Next bill is LB641A.

ASSISTANT CLERK (Read LB641A on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB641A pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.



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ASSISTANT CLERK: (Record vote read.) The vote is 40 ayes, 0 nays, 7 present and not voting, 2 excused and not voting, Mr. President.

FOLEY: LB641A passes. Additional Final Reading per the consent calendar: LB62, Mr. Clerk.

ASSISTANT CLERK: (Read LB62 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB62 pass? Those in favor vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: (Record vote read.) Vote is 47 ayes, 0 nays, 2 excused and not voting, Mr. President.

FOLEY: LB62 passes. Next bill is LB123.

ASSISTANT CLERK: Thank you, Mr. President. (Read LB123 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB123 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read.) 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting.

FOLEY: LB123 passes. Next bill is LB135.

ASSISTANT CLERK: (Read LB135 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB135 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read.) Vote is 42 ayes, 0 nays, 5 present and not voting, 2 excused and not voting.

FOLEY: LB135 passes. LB220.

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ASSISTANT CLERK: (Read LB220 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB220 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read.) Vote is 45 ayes, 0 nays, 2 present and not voting, 2 excused and not voting.

FOLEY: LB220 passes. Next bill is LB244E.

ASSISTANT CLERK: (Read LB244 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB244E pass with the emergency clause attached? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 45 ayes, 0 nays, 2 present and not voting, 2 excused and not voting, Mr. President.

FOLEY: LB244E passes with the emergency clause attached. Next bill is LB248.

CLERK: (Read LB248 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB248 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President.

FOLEY: LB248 passes. Next bill, LB260.

CLERK: (Read LB260 on Final Reading.)

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FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB260 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 45 ayes, 0 nays, 2 present and not voting, 2 excused and not voting.

FOLEY: LB260 passes. Proceeding to LB281.

CLERK: (Read LB281 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB281 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 45 ayes, 0 nays, 2 present and not voting, 2 excused and not voting, Mr. President.

FOLEY: LB281 passes. Next bill is LB308.

CLERK: (Read LB308 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB308 pass? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: (Record vote read.) 47 ayes, 0 nays, 2 excused and not voting.

FOLEY: LB308 passes. Next bill is LB315.

CLERK: (Read LB315 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB315 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President.

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FOLEY: LB315 passes. Next bill is LB374.

CLERK: (Read LB374 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB374 pass? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: (Record vote read.) 47 ayes, 0 nays, 2 excused and not voting.

FOLEY: LB374 passes. Proceeding to LB392.

CLERK: (Read LB392 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB392 pass? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: (Record vote read.) 47 ayes, 0 nays, 2 excused and not voting.

FOLEY: LB392 passes. Proceeding to LB414.

CLERK: (Read LB414 on Final Reading.)

FOLEY: All provisions of law relative to procedure have been complied with, the question is, shall LB414 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 47 ayes, 0 nays, 2 excused and not voting.

FOLEY: LB414 passes. Next bill is LB427.

CLERK: (Read LB427 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB427 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

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CLERK: (Record vote read.) 40 ayes, 3 nays, 4 present and not voting, 2 excused and not voting.

FOLEY: LB427 passes. LB447.

CLERK: (Read LB447 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB447 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting.

FOLEY: LB447 passes. LB447A.

CLERK: (Read LB447A on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB447A pass? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: (Record vote read.) 47 ayes, 0 nays, 2 excused and not voting.

FOLEY: LB447A passes. LB454.

CLERK: (Read LB454 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB454 pass? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: (Record vote read.) 47 ayes, 0 nays, 2 excused and not voting.

FOLEY: LB454 passes. LB476.

CLERK: (Read LB476 on Final Reading.)

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FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB476 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 45 ayes, 0 nays, 2 present and not voting, 2 excused and not voting.

FOLEY: LB476 passes. Next bill is LB505.

CLERK: (Read LB505 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB505 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President.

FOLEY: LB505 passes. Next bill is LB525.

CLERK: (Read LB525 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB525 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 45 ayes, 0 nays, 2 present and not voting, 2 excused and not voting, Mr. President.

FOLEY: LB525 passes. Pursuant to the rules, we will skip LB533 and proceed to LB559.

CLERK: (Read LB559 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB559 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

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CLERK: (Record vote read.) 43 ayes, 0 nays, 4 present and not voting, 2 excused and not voting.

FOLEY: LB559 passes. Next bill is LB561. Mr. Clerk.

CLERK: Mr. President, Senator Cavanaugh would move to return LB561 to Select File for a specific amendment. The purpose is being to strike the enacting clause.

FOLEY: Senator Cavanaugh, you are recognized to open on your motion.

CAVANAUGH: Thank you, Mr. Lieutenant Governor. And Senator Geist, I will just say a few remarks and then I will pull my motion-- or my amendment. I am heartbroken that somebody would have submitted a letter and not tell me. I don't know who in this body did that, but that is devastating to me. This bill meant so much to me. I did it in honor of my uncle who is a county clerk. It meant so much to me that the Speaker put it on consent file, it meant so much to me that people voted for it. It means so much to me that Lancaster County already does this, and I just wanted it to be uniform across the state, because it is federally compliant. And somebody in this body went behind my back, submitted a letter and had it removed without ever speaking to me. And I am a real person with real feelings, and I am your colleague, and I deserve more respect than that. Everyone in this body deserves more respect than that. I would never do that to a single one of you. And I am heartbroken that you did that to me. You could have at least done the courtesy of telling me that you were going to do it. It's so disrespectful. It is so, so disrespectful. I withdraw my amendment, thank you.

FOLEY: Motion is withdrawn. LB561.

CLERK: (Read LB561 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB561 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 45 ayes, 0 nays, (2 present and not voting), 2 excused and not voting, Mr. President.

FOLEY: LB561 passes. Next bill is LB564.

CLERK: (Read LB564 on Final Reading.)

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FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB564 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 43 ayes, 0 nays, 4 present and not voting, 2 excused and not voting, Mr. President.

FOLEY: LB564 passes. Next bill is LB571.

CLERK: (Read LB571 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB571 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 42 ayes, 0 nays, 5 present not voting, 2 excused and not voting.

FOLEY: LB571 passes. Proceeding now to LB571A.

CLERK: (Read LB571A on Final Reading.)

FOLEY: Thank you, Mr. Clerk. Members, just a reminder, we are on Final Reading; I'm required to ask you to please be at your desks. All provisions of law relative to procedure having been complied with, the question is, shall LB571A pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 40 ayes, 0 nays, 7 present and not voting, 2 excused and not voting.

FOLEY: LB571A passes. LB609, next bill.

CLERK: (Read LB609 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB609 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.



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CLERK: (Record vote read.) 45 ayes, 0 nays, 2 present and not voting, 2 excused and not voting.

FOLEY: LB609 passes. Next bill is LB719.

CLERK: Motion on the desk: Senator Pansing Brooks would move to return the bill, Mr. President.

FOLEY: Senator Pansing Brooks, you are recognized to open on your motion.

PANSING BROOKS: Thank you, Mr. President. I just-- I am, number one, shocked by a number of different things. The fact that Senator Erdman, Senator Clements, Senator Murman, and Senator Lowe decided to move forward on an effort to take back Senator Cavanaugh's bill by signing this. The letters you have in front of you is dated May 13. It is now May 23. They signed this bill-- or this letter 10 days ago and didn't have the courtesy or the transparency or the courage to go to Senator Cavanaugh and talk to her about her bill that was placed on consent by our Speaker. I think this is a bad act by senators whom I generally admire and can get along with. I don't understand this kind of attitude or activity. To not go and talk to a senator; for those of you that are new, one of you who is new, is on this letter. The others know what the process is and how to go forward. It's not only rude, it's inconsiderate, it's a lack of transparency. You've had this letter for 10 days and could not go and talk to Senator Cavanaugh about your troubles and problems with whatever it is about the bill. And of course, we're racing through this and your bills have all passed on consent, so you're safe now because it was very fortunate. You walked over and talked to her right before her bill was to come up. So that was a convenient timing for you so that there would be nothing that would happen to your bills. You are safe. It's not kind. It's not the way that colleagues work in this body. And I hope that those of you who are here and are brand new learn that this is not the way that we work together in a body in a collegial manner. And, you know, there have been enough little things that are going on, there's been some efforts to-- people are mad. It's the end of the session. I get that. People are tired. But this is not the way to go forward and deal with one another. We all care about our bills. I would never do that to one of you, ever. And there are times that I give you my word on how I'm going to vote on a bill, and then I find out new information. If I've made the commitment, I stay with that commitment. You know that. So to come forward and treat one of the 49 in this manner, I think, is really sad. And it says a lot about some of the people in this body. And trust has been lost. I hope we can rebuild it with trust and collegiality and working together in the upcoming next part of our biennium. But I'm just really disappointed. I'm pretty upset by it. I know that the Speaker is trying to move us on, on a rather rapid pace and get us through and get us out of here six days early. And so in respect to that, I'm just expecting people to act better. I apologize to Senator Cavanaugh that we didn't have your back better. We didn't realize that this was happening. But of course, it was a lack of communication and a lack of willingness to

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communicate with the senator carrying that bill. And I pledge not to trick you all and do that to you. And I hope, I hope that from now on you will each communicate better, be courageous enough to go to the senator with whom you disagree, and say we're going to do this rather than at the 11th point 59 hour. Thank you. I withdraw my motion. I'm sorry to hold up Senator Hughes's bill. Thank you, Mr. President.

FOLEY: Motion is withdrawn. LB719.

CLERK: (Read LB719 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB719 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President.

FOLEY: LB719 passes. Next bill is LB719A.

CLERK: Mr. President, I have a motion on the desk. Senator Cavanaugh would move to return the bill.

FOLEY: Senator Cavanaugh, you're recognized to open on your motion.

CAVANAUGH: Thank you, Mr. Lieutenant Governor. Senator Hughes, I will just be a moment on this, and I will withdraw my motion when I'm done. Thank you, Senator Pansing Brooks, for your remarks. Yes? OK, well, I'm still going to say a few things. Senator Erdman, Senator Clements, Senator Lowe, and Senator Murman, I really wish you would have told me. Every bill that we do is a labor of love, and this was a labor of love for me. I will not do this to you in the future. I will not try to tear down this Legislature. This was important to me, and I'm very hurt by what the four of you have done today. And I don't want that to go unsaid, because if I let it go unsaid, then it will live between us, and that's not how I want to be. So I will withdrawal my motion. Thank you.

FOLEY: Motion withdrawn. LB719A.

CLERK: (Read LB719A on Final Reading.)

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FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB719A pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 44 ayes, 0 nays, 3 present and not voting, 2 excused and not voting.

FOLEY: LB719A passes. LB726.

CLERK: (Read LB726 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB726 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 39 ayes, 0 nays, 8 present and not voting, 2 excused and not voting, Mr. President.

FOLEY: LB726 passes. Speaker Scheer, you're recognized.

SCHEER: Thank you, Mr. President. Colleagues, unique situations happen, and sometimes we do things uniquely. It is within the prerogative and the power of the Speaker to schedule an agenda. And I would let you know that I will be rescheduling Senator Cavanaugh's bill tomorrow on Final Reading. Thank you. [Applause]

FOLEY: While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign the following legislative bills: LB15, LB218E, LB309, LB538, LB538A, LB600E, LB600AE, LB641, LB641A, LB62, LB123, LB135, LB220, LB244E, LB248, LB260, LB281, LB308, LB315, LB374, LB392, LB414, LB427, LB447, LB447A, LB454, LB476, LB505, LB525, LB559, LB561, LB564, LB571, LB571A, LB609, LB719, LB719A, LB726. Items for the record, please.

CLERK: Mr. President, thank you. Enrollment and Review reports LB209 and LB470A as correctly engrossed. Series of resolutions: LR259, Senator Brewer; Senator Walz, LR260; Senator Erdman, LR261; those will be laid over. Judiciary Committee reports LB132, LB133, LB238 to General File; LB131, LB369, and LB388 to General File with amendments.

FOLEY: Senator Clements, for what purpose do you rise?

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CLEMENTS: Point of personal privilege.

FOLEY: Senator Clements, you may proceed please.

CLEMENTS: I just want to let Senator Cavanaugh know that I do believe that should have been done differently. I didn't anticipate the amount of grief it would cause here, and I am sorry for that; would not do that again. And first time I've been involved in that rule and would express my regrets for how that was handled. Sorry about that. Thank you, Mr. President.

FOLEY: Thank you, Senator Clements. Mr. Clerk.

CLERK: Mr. President, Senator Hilkemann would move to adjourn the body until Friday, May 24 at 9:00 a.m.

FOLEY: Members, you heard the motion to adjourn. Those in favor say aye. Those opposed say nay. We are adjourned.