

Supreme Court has held, and this is important, that a state has no constitutional obligation to fund or promote abortion or contraception and establish a policy in favor of normal childbirth. That was the policy decision that this body affirmed when it adopted my amendment and I have no doubt, especially now, that it was an appropriate decision. I offered this amendment because the supporters of this bill could not convince me that it would not be used for abortion-related services. Obviously, now it is a good thing that I did because this action today speaks louder than words. Senator Nelson's motion has made it now very clear to me, and I hope to the rest of you, that there are some organizations that intended to use LB 662 to gain access to public funds for the purposes of providing abortion-related services. I don't want to go on any further because I would like Senator John Lindsay to have the remainder of my time.

SPEAKER BARRETT: Senator Lindsay, about a minute and a half.

SENATOR LINDSAY: Thank you, Mr. President, thank you, Senator Labeledz. I read through the opinion and I think it forgets a very basic issue of constitutional law and that is that bills that are passed by the Legislature are presumed to be constitutional. If they can be read in a constitutional manner, that is the way they are to be read. About any bill that we pass here can be misconstrued to obtain an unconstitutional result if your intent is to obtain an unconstitutional result. I suggest that that is the case in this particular opinion. The bill, as I read it, the abortion neutral language appears in the definition of prevention.

SPEAKER BARRETT: One minute.

SENATOR LINDSAY: That just provides who is going to be allowed to obtain these funds. It doesn't provide any manner or method whatsoever of denying funds. That would be...the denial of funds would be done on the same basis as for any other issue. For example, if funds are being used to promote religion, if funds are being used to promote any other violation, unconstitutional violation, they would be handled as they normally are handled, with some sort of a...and I am not even sure how those are handled. But this is no different than any other issue. It simply says that that is not included in the definition. The intent is that the funds are not to be used for referral or counseling of abortion. I think that the opinion