

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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LB 1405

SPEAKER KRISTENSEN: Senator Beutler, would you respond?

SENATOR BEUTLER: Senator Smith, I'm sorry I didn't hear your question.

SENATOR SMITH: I haven't asked it yet, so I'll get there.

SENATOR BEUTLER: Oh, okay.

SENATOR SMITH: Senator Beutler, your amendment that is forthcoming, would that prevent the university from offering faculty status to an abortion doctor who provides the tissue for this research?

SENATOR BEUTLER: Senator, the amendment is framed in terms of valuable consideration, and under the federal law, it would be up to the courts to decide the fact question of whether a particular instance or a particular situation constituted valuable consideration.

SENATOR SMITH: Would you suggest that faculty status would be faculty...or would be valuable consideration or not?

SENATOR BEUTLER: I think that that's typically the kind of fact question, Senator, that's left to the courts, and I think it would be appropriate to leave it to the courts.

SENATOR SMITH: Thank you. I don't want to submit to name calling. I think that this debate has generally remained at a high level and I want to keep it at that. I do also want to point out that because I voted to pull this out of committee I hope that does not mean that I'm antiresearch. We talked about this kind of research and that kind of research. We are talking about what many would admit is a very small part of what they do in the research. And I...I don't accuse the university of being antiresearch because they haven't been replacing research professors in the area of agriculture. That doesn't mean they're antiresearch. We may have a few disagreements on what the specifics are about research and how it's done but I'm not antiresearch, and I don't think the university is antiresearch either in a specific area. So I just offer these arguments and