

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

May 4, 2005

LB 425

SENATOR CUDABACK: The motion was successful. Debate does cease. Senator Foley, you're recognized to close on AM1374.

SENATOR FOLEY: Thank you, Mr. President. I'd like a call of the house, please. I realize my time is running.

SENATOR CUDABACK: There's been a request for a call of the house. All in favor of the house going under call vote aye; those opposed, nay. Record please, Mr. Clerk.

ASSISTANT CLERK: 33 ayes, 0 nays, to go under call.

SENATOR CUDABACK: The house is under call. All unauthorized personnel please leave the floor, unexcused senators report to the Chamber. The house is under call. And your time is rolling, Senator Foley. Senator Schimek, Senator Louden, Senator Bourne, would you please check in? Thank you. Senator Smith, also, and Senator Louden. Senator Foley, your time is...

SENATOR FOLEY: Yes, thank you very much, Mr. President. Let me address a couple of the questions that are still hanging out there, before we cast our votes on this question. The...Senator Chambers has made the point that if we're going to do something along these lines, it has to have the abortion option on the table. Let me remind you again, we've been funding that option and that discussion for 30-plus years now through the federal Title X program. That's the program that's been channeling millions of dollars into this state, year after year. We've got a number of...dozens, maybe 15 Title X grantees that are receiving that money, and one of the requirements, one of the federal requirements under that program is that abortion being offered as the option. It's got to be there on the table. There's no requirement that other programs that we administer must also have the abortion option on the table. There's no requirement whatsoever. In fact, the Supreme Court has spoken to that issue time and time again. In Webster v. Reproductive Health Services, 1989, the court stated...the court has emphasized that Roe v. Wade implies no limitation on the authority of a state to make a value judgment favoring childbirth over abortion. We're not required to favor abortion over childbirth. The court has left us the option to offer