

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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FLOOR DEBATE

May 5, 2005

LB 425

SENATOR SCHIMEK: The amendment is adopted. Are there further amendments, Mr. Clerk?

CLERK: Madam President, the next amendment I have, Senator Chambers, AM1379. (Legislative Journal page 1374.)

SENATOR SCHIMEK: Senator Chambers, would you like to open on your amendment?

SENATOR CHAMBERS: Yes, I would, Madam President. Members of the Legislature, the way this amendment is drafted, it would add a new section to the budget bill. If this amendment is adopted in this location, that long list of other amendments would go away. This is what I would call a general amendment, because placing it where we will would make it apply to all of these agencies. The long list is based on this amendment being offered to each individual agency. This is what the language of the amendment says: It is the intent of the Legislature that there should be no discrimination by any agency receiving funds under this act against any person, based on sexual orientation. Why would I offer this amendment on a budget bill when the budget bill does not go into the statute books and establish what might be called positive law? There are people who have come to me, and some have even said on the floor at various times, that a provision of this kind prohibiting discrimination ought to apply to the government and its agencies and let that show the example to the private sector. I have not adopted that view and that position with any legislation that I've offered because I think this kind of discrimination should be prohibited everywhere, and it does occur everywhere. As Senator Combs said on the other proposition, domestic abuse cuts through all strata of society. There are people in all strata of society whose sexual orientation places them outside the pale. I don't believe that such discrimination ought to occur. What this amendment would be saying is that no agency of this government is going to discriminate on this basis. We were told in another context that the University of Nebraska has a policy that would include prohibiting this kind of discrimination. The Nebraska Supreme Court has put into the code of judicial conduct an explicit directive that there shall be no discrimination based on sexual orientation. That cannot be engaged in by judges,