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Floor Debate
March 20, 2017

[LB10A LB10 LB11 LB44A LB46A LB46 LB57 LB62 LB192 LB257 LB307 LB556 LB558
LB576 LB622 LB666 LR6 LR61 LR62 LR75]

SPEAKER SCHEER PRESIDING

SPEAKER SCHEER: Morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the fiftieth day of the One Hundred Fifth Legislature, First Session. Our chaplain today is Pastor Wilson Metz of the Word of Hope Lutheran Church in Ashland, Nebraska; Senator Bostelman's district. Please rise.

PASTOR METZ: (Prayer offered.)

SPEAKER SCHEER: Thank you, Pastor Wilson. I call to order the fiftieth day of the One Hundred Fifth Legislature, First Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

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

ASSISTANT CLERK: No corrections this morning.

SPEAKER SCHEER: Any messages, reports, or announcements?

ASSISTANT CLERK: I have no messages, reports, or announcements this morning.

SPEAKER SCHEER: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR61 and LR62. Mr. Clerk, we'll go to the first item. [LR61 LR62]

ASSISTANT CLERK: Mr. President, the first confirmation report this morning is from the Natural Resources Committee for Scott McPheeters to the Nebraska Ethanol Board. (Legislative Journal page 628.)

SPEAKER SCHEER: Thank you. Senator Hughes, as Chairman of the Committee, you're welcome to open.

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SENATOR HUGHES: Thank you, Mr. President; good morning, colleagues. I present for your approval the appointment of Scott McPheeters to the Nebraska Ethanol Board. Scott came before the Natural Resources Committee for his confirmation hearing on March 3, 2017. Mr. McPheeters is a fourth generation family farm owner and operator near Gothenburg, Nebraska. Scott currently serves on the board of managers for KAAPA Ethanol and KAAPA Grains, and has also recently been appointed to the board of directors for the American Coalition for Ethanol. To add to his knowledge and experience, Scott has represented the ethanol industry on the Governor's ag trade mission to China in November of 2016. The Nebraska Ethanol Board is comprised of seven members, all appointed by the Governor, each member represents a specific area or interest related to Nebraska's ethanol industry. Mr. McPheeters is filling the business industry position on the Ethanol Board. The Nebraska Ethanol Board is a state agency created in 1971 by the Legislature. The first and only state agency in the United States developed solely for the development of the ethanol industry. The board focuses on four key issues: ethanol production and industry support, market development, research and technology issues, and public policy development. The committee advanced Mr. McPheeter's appointment by an 8-0 vote. I ask for your confirmation of Scott McPheeters to the Nebraska Ethanol Board.

SENATOR HOWARD PRESIDING

SENATOR HOWARD: Thank you, Senator Hughes. Is there any discussion on the report? Senator Chambers, you are recognized.

SENATOR CHAMBERS: Thank you, Madam Chair. Oh, your voice has changed so much, I thought I had to look up there and see if maybe the ordinary speaker has a frog in his throat. Anyway, I'd like to ask Senator Hughes a question or two if he would yield.

SENATOR HOWARD: Senator Hughes, will you yield for a question?

SENATOR HUGHES: Absolutely.

SENATOR CHAMBERS: Senator Hughes, is this the only person who is going to be recommended for confirmation from your committee today?

SENATOR HUGHES: Yes, it is.

SENATOR CHAMBERS: Okay. Then I will make a comment or two at this point. How many districts are there right now that comprise the jurisdiction of the Natural Resources...I meant the...

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SENATOR HUGHES: The Ethanol Board?

SENATOR CHAMBERS: Oh, this happens to come from your committee, but I don't care about the Ethanol Board. So I don't have any questions. Thank you. Members of the Legislature, the Natural Resources Committee deals with issues involving Game and Parks, and I was going to ask a couple of technical questions, but since that is not before us at this time, I don't have any comments on this person. Thank you.

SENATOR HOWARD: Thank you, Senator Chambers and Senator Hughes. Seeing no other members in the queue, the question is the adoption of the report offered by the Natural Resources Committee. All those in favor vote aye; all those opposed vote nay. Have all voted who wish to? Record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal pages 749-750.) 42 ayes, 0 nays on the adoption of the report.

SENATOR HOWARD: The report is adopted. Moving on to the next item on the agenda.

ASSISTANT CLERK: Madam President, the next report from the Transportation and Telecommunications Committee is two appointments to the Nebraska Information Technology Commission. (Legislative Journal page 716.)

SENATOR HOWARD: Senator Friesen, you are recognized to open.

SENATOR FRIESEN: Thank you, Madam President. The confirmation report recommends the approval of two individuals to the Nebraska Information Technology Commission: Shane Greckel and Daniel Spray. Shane Greckel resides in Bloomfield and was a new appointment to the commission last May. He serves on the commission representing the general public and his occupation is farming. Daniel Spray resides in Norfolk and also is a new appointment to the board, also representing the general public. Mr. Spray operates a business in Norfolk. Both Mr. Greckel and Mr. Spray appeared before the committee. There was no opposition to the appointment of either appointee, and the Transportation and Telecommunication Committee unanimously supports the approval of the confirmation report. Madam President, I would ask for your approval of the confirmation report. Thank you.

SENATOR HOWARD: Is there any discussion on the report? Seeing none, Senator Friesen, you are recognized to close. Senator Friesen waives closing. The question is the adoption of the

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report offered by the Transportation and Telecommunications Committee. All those in favor vote aye; all those opposed vote nay. Have all voted who wish to? Record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal pages 750-751.) 43 ayes, 0 nays on the adoption of the report.

SENATOR HOWARD: The report is adopted. Moving on to the next item on the agenda.

ASSISTANT CLERK: Madam President, the next report, also from the Transportation and Telecommunications Committee, is Stephan Budke to the Motor Vehicle Industry Licensing Board. (Legislative Journal page 716.)

SENATOR HOWARD: Senator Friesen, you are welcome to open.

SENATOR FRIESEN: Thank you, Madam President. The report recommends the approval on an individual to the Nebraska Motor Vehicle Industry Licensing Board. Stephan Budke resides in North Platte and is a new member to the Vehicle Industry Licensing Board. He serves in the position representing motorcycle dealers. Mr. Budke operates a motorcycle dealership in North Platte. Mr. Budke appeared before the committee. There was no opposition to the appointment, and the Transportation and Telecommunications Committee unanimously supports approval of the confirmation report. Madam President, I would ask for your approval of the confirmation report. Thank you.

SENATOR HOWARD: Is there any discussion on the report? Seeing none, Senator Friesen you are recognized to close. He waives closing. The question is the adoption of the report offered by the Transportation Committee. All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal page 751.) 39 ayes, 0 nays on the adoption of the report.

SENATOR HOWARD: (Doctor of the day introduced.) Moving on to the next item on the agenda.

ASSISTANT CLERK: Madam President, Health and Human Services reports on two appointments to the Nebraska Child Abuse Prevention Fund Board. (Legislative Journal page 640.)

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SENATOR HOWARD: Senator Riepe, you are welcome to open.

SENATOR RIEPE: Thank you, Ms. President; good morning, colleagues. I appear before you today as Chair of the Health and Human Services Committee to present two appointments to the Child Abuse Prevention Fund Board. The Child Abuse Prevention Fund Board was created in 1986. The board is made up of nine members appointed by the Governor, and administered by the Department of Health and Human Services. Board members shall demonstrate knowledge in the area of child abuse and neglect prevention, shall be representative of the demographic composition of this state; and shall be representative of all of the businesses in the community, the religious community, the legal community, professional providers of child abuse and neglect prevention services, and volunteers in child abuse and neglect prevention services. The first reappointment is Lisa Knoche was first appointed to the Nebraska Child Abuse Prevention Fund Board in September of 2013. She has received a bachelor's degree in psychology and a masters degree and a doctoral degree in developmental psychology. She currently serves as a fellow for the Center for Great Plains Studies, a research associate professor at the University of Nebraska Center for Research on child youth families in schools. And she is also the director of the Nebraska Early Childhood Research Academy at the University of Nebraska here in Lincoln. The second candidate is Mary Beth Hanus. And she was first appointed to the Nebraska Child Abuse Prevention Fund Board in 2013. She has received a bachelor's degree from Creighton University in the field of psychology, and a masters degree in social work from the University of Nebraska-Omaha, School of Social Work. In the past, she has served as a clinical social worker at Children's Hospital in Omaha, and currently serves as the manager of Victim Outreach and Prevention with the Archdiocese of Omaha. I ask for your green vote to confirm these individuals to the Child Abuse Prevention Fund Board.

SENATOR HOWARD: Is there any discussion on the report? Seeing none, Senator Riepe, you are recognized to close on the report. Senator Riepe waives. The question is the adoption of the report offered by the Health and Human Services Committee. All those in favor vote aye; all those opposed vote nay. Have all voted to wish to? Record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal pages 751-752.) 41 ayes, 0 nays on the adoption of the report.

SENATOR HOWARD: The report is adopted. Moving on to the next item on the agenda.

ASSISTANT CLERK: Next report from Health and Human Services is the appointment of the Chief Medical Officer. (Legislative Journal page 640.)

SENATOR HOWARD: Senator Riepe, you are recognized to open.

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SENATOR RIEPE: Thank you, Ms. President; good morning, colleagues. I appear before you today as Chair of the Health and Human Services Committee to present Dr. Thomas Williams. Dr. Williams has been appointed to serve as the Chief Medical Officer and the Director of Public Health for the Department of Health and Human Services. He began serving in this role on November 1, 2016. Dr. Williams, if confirmed, would be Director of the Division on Public Health and Chief Medical Officer for the department. The Division of Public Health brings together all of the elements of public health within the Department of Health and Human Services. The division is responsible for preventive and community health programs and services. It is also responsible for the regulation and licensure of health-related professionals and occupations, as well as the regulation and licensure of healthcare facilities and services. Dr. Williams has practiced at Methodist Hospital in Omaha for 38 years, serving as laboratory medical director and the chairman of the pathology department for the past 22 years. Dr. Williams teaches at the University of Nebraska Medical Center. He serves on the Clinical and Laboratory Standards Institute board of directors, and is a member of the Omaha Metropolitan Response System. He has been a laboratory director and consulting pathologist at Nebraska hospitals beyond Omaha and has served on working groups and committees for the Centers for Disease Control and Prevention. I have provided a copy of Dr. Williams' CV which is currently being handed out. I have personally known Dr. Williams in my role with Children's for 15 years, and I have known him for now 20 years and I personally attest to his intelligence, his integrity, his decency, and I certainly consider him a friend. And I would be...being Director of the Division of Chief Medical Officer is a daunting position, but I know Dr. Williams will put in the time and energy needed to excel. I ask for your green vote to confirm Dr. Williams.

SENATOR HOWARD: Senator Krist, you are recognized.

SENATOR KRIST: Good morning, Madam President; good morning colleagues, and certainly good morning, Nebraska. I think some of you may or may not realize how serious these confirmations are. This one, for example, once confirmed will not be replaced or we will not have any possibility of taking any action against the individual, unless and until a new person would be offered in his place, or a new Governor would be in place. So this confirmation process is very, very important. When the Governor first took office, he tried to reappoint a Chief Medical Officer that had been in place for many, many years, and many of us had dealt with that person. He fancied himself to be more a lawyer than a medical person and he was both. I stood on this floor and tried to send a shot across the bow on that particular confirmation, simply to say that this particular doctor, the one prior, not Dr. Williams, needed to pay more attention to the health and safety of the state of Nebraska and less in terms of blocking the process for scope of practice and many other things. And I wish, Madam President was in...not Madam President today because I would carry on a dialogue with her about how serious it was. That confirmation resulted in not confirming that person and so we've been without a Chief Medical Officer until November of this past year. These credentials for Dr. Williams speak volumes to his past. But

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now he has a new job. He needs to be aware of the health and safety issues of the state of Nebraska, those issues that have not been taken care of for quite some time, a wholesale overview, if you will, for inoculations and vaccinations, the threat of radon and other kinds of threats out there that could be taken care of through his office. The most disappointing thing for me was when he came into the committee, the Judiciary Committee, upon which I sit, and was less than truthful about the examples that he gave talking ill about medical marijuana. He has an opinion. He is a medical officer. He had a good stance in terms of FDA approval and the efficacy questions that are out there; no question with that. But when asked a direct question about have there been any deaths related to medical marijuana, he went off the tracks. I will vote yes for this confirmation, but I am putting Dr. Williams on notice that when he comes to the committees to testify, we want to hear his professional opinion about health and safety and the medical profession's opinion about how to take care of this great state and the people in it. This is not a shot across the bow. This is a warning that anyone who comes to our committees needs to tell the truth, the whole truth, and nothing but the truth, and their professional opinion is extremely important to me, and as I know it is to you. Thank you.

SENATOR HOWARD: Thank you, Senator Krist. Senator Morfeld, you are recognized.

SENATOR MORFELD: Thank you, Ms. President. Colleagues, just as Senator Krist has sent a warning, I guess mine will be a shot across the bow. I will not vote for this confirmation as I told the Governor's PRO person and then also Dr. Williams, until the Governor's Office and the administration reinstates the board approved...Board of Psychology approved rules and regulations for the practice of their field. These rules and regulations have now been held up for eight or nine years. We still do not have revised rules and regulations, which has consequences far beyond the issue that is the sticking point which I'll address in just a minute. It's hurt recruitment of psychologists to the practice in Nebraska, and this has impact on the broader public. So I'm going to go today through the history of what's been going on to educate the new members of this body, because not only have I been working on this issue for two years, many of our predecessors have been working on this issue for about six years before me. And I know there is several other members that will get up and talk about the importance of moving forward these regulations, which will fall under the doctor's purview in which I have not received assurances from him or the administration per my request that they will be reinstated. So first, we'll start with the time line. Fall 2008, the Board of Psychology completes a yearlong review of the Nebraska psychology practice regulations after consultation with the Nebraska Psychological Association. There is several different important revisions. One, a clearer distinction between psychological consultation and clinical supervision; two, a more detailed definition of psychological testing; three, extension of the time frame for completing the required doctoral supervised work experience; four, establishing specific requirements for psychological recordkeeping; and five, and most pertinent to the debate that we'll have today which will not ensue, updating from the 1992 version to the current version of the American Psychological

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Association Ethical Principles of Psychologists Code of Conduct. In spring of 2009, the Board of Psychology was told by the Department of Health and Human Services administration that the revised regulations were sent to the Nebraska Catholic Conference for a special review in a series of five separate meetings between the NCC and the Board of Psychology. The Nebraska Catholic Conference executive director demands that the existing psychology regulations be revised to include a conscience clause that would allow licensed psychologists to deny professional services and allow a revised psychology regulation to go forward without the Nebraska Catholic Conference approval. These regulations pertain to the Ethical Code of Conduct. And the example that was given is that if an LGBT member of the community goes to a psychologist and the psychology does not agree with their, quote, lifestyle, they can be turned away and there is no duty to refer them to another psychologist. Now, why is this a big deal? It's a big deal because the primary purpose of the regulations is not to serve the individual personal interests of a psychologist, but rather the broader public interest and good. Imagine for a moment being a person going to a psychologist who is in clear need of help and then being told and given the indignity of being told that they don't agree with their lifestyle, the way that they were born, and then not even being given a referral. It's indecent, it's inhuman, and it has no place in our regulations. I'll move on with the time line. Fall 2010 to December 2012--the Nebraska Psychological Association executive director and various NPA board members attempt on several occasions to convince Dr. Schaefer and her staff, who I believe was the Chief Medical Officer at that point, to allow the important regulations revisions to move forward to the Attorney General's Office.

SENATOR HOWARD: One minute.

SENATOR MORFELD: Thank you. These multiple requests are rejected. The BOP requests updates on the status revised psychology regulations at regularly scheduled licensing board meetings and the requests are ignored. I'm going to go through each of the time lines when I have a little bit more time. But the bottom line is since 2012, we still do not have revised and updated psychology rules and regulations, all because a certain interest group wants their psychologists to turn away people who are at their most vulnerable time seeking mental help simply because they have a certain religious view. It has no place in our rules and regulations and it's despicable. It's time that the administration step up and reinstate the already approved regulations and forward them on to the Attorney General for approval.

SENATOR HOWARD: Time, Senator.

SENATOR MORFELD: Thank you.

SENATOR HOWARD: Thank you, Senator Morfeld. Senator McCollister, you are recognized.

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SENATOR McCOLLISTER: Thank you, Madam Chair; good morning, colleagues. First thing I'd like to say today is that Dr. Tom Williams is eminently qualified to take this position. I've known Tom since college, good guy, a very good doctor, and he would serve very well in this position. Secondly, I was one of five senators that sent a letter to Courtney Phillips on December 30, and asking about those regulations that Senator Morfeld talked about. We received no response from Director Phillips, no response at all. Once again, that was December 30, and here we are three and a half months since that time without a response from the director. Lastly, I'd like to read a letter from Anne Talbot from the Psychological Association dated March 6, 2017: Miss Courtney Phillips, etcetera, Dear Ms. Phillips; after multiple attempts by our organization's leaders to dialogue with you about the failure of past DHHS administrators to advance the psychology regulations that were carefully reviewed and approved since 2008, the Nebraska Psychological Association is very concerned about the recent attempt by DHHS staff to circumvent us again by presenting completely unacceptable draft revisions to the Board of Psychology. The draft revisions submitted to licensing board members removes sanctions for discrimination, including elimination of any mention of sexual orientation and gender identity as nondiscrimination categories. There is also no reference to the American Psychological Association's ethical principles of psychologists and code of conduct, the practice of standards that are specifically cited in previous versions of the psychology regulations. Removal of this language drastically changes the regulations already approved by the Board of Psychology and the Board of Health. Furthermore, there is a troubling attempt to obscure the omission of critical language referencing nondiscrimination blatantly omitting any acknowledgment of this change, while at the same time highlighting or marking in red other edits that document that are completely minor. This is especially disappointing in light of our previous hope that your administration would take on a more enlightened stance toward this long-delayed and much needed psychology regulation updates. Given the rest of these DHHS revisions imposed on Nebraska's most vulnerable citizens, the Nebraska Psychological Association protests in the strongest terms this apparent continued abandonment of the overreaching regulation principle of protecting all segments of the public. After your unexplained determination of the board approved regulation revisions, we can only view this draft as yet another attempt to subvert a meaningful review process. We will oppose...we continue to oppose this course of action vigorously. I think you can readily see the problem we have here. We have an administration and the Department of DHHS that won't move forward on these new regulations; regulations that much of the country has moved forward to accept. Could it be...could it be that the difficulty we have getting people to work with our prisons is because of this rather...I'd say retarded view of the regulations. It is time to move forward and accept these regulations like so many of the other states have.

SENATOR HOWARD: One minute.

SENATOR McCOLLISTER: Thank you, Madam President.

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SENATOR HOWARD: Thank you...

SENATOR McCOLLISTER: I yield the balance of my time to Senator Morfeld.

SENATOR HOWARD: Senator Morfeld, you are yielded 44 seconds.

SENATOR MORFELD: Thank you, Senator McCollister. I'll keep going through some of this. June and August 2016--the NPA board of directors, that's Nebraska Psychological Association members, meet with new DHHS Executive Director Courtney Phillips to encourage action on the stalled psychology regulations. NPA leaders provide Phillips with a complete history of the issue. She agrees to look into the matter further, including consultation with the Governor's Policy Office. September 2016, after eight years of inaction, eight years, the DHHS administration verbally reports termination of the revised psychology regulations which I will note is unprecedented. DHHS has not provided any further information.

SENATOR HOWARD: Time, Senator.

SENATOR MORFELD: Thank you, Ms. President.

SENATOR HOWARD: Thank you, Senator McCollister and Senator Morfeld. Senator Hansen, you are recognized.

SENATOR HANSEN: Thank you, Madam President. Colleagues, I rise with same concerns today over both the psychological regulations and the relation to Dr. Williams' appointment. And just to clarify why I'm getting up and speaking about these in the context of Dr. Williams' appointment, I know, like many of you, that Dr. Williams was here, along with other staff from DHHS in the following weeks and they were sending notes in to have us come out and meet Dr. Williams out in the Rotunda out in the lobby. And when I went out, this is an issue that's been on my mind, I was one of those senators on that letter with Senator McCollister. And I went out and I told Dr. Williams one of my key concerns in relation to his office was the adoption of eventually some sort of new psychological regulations. It was kind of an open-ended question--what's your stance on that? How is that going to go? And that resulted from him to me saying, I don't think that's my office; I don't think that's my department. Which led to him kind of disputing that with the other HHS staffer who is insisting and, in fact, was his office. And then I asked for clarification to make sure I was correct and he was correct as to the role that the Chief Medical Officer plays in rules and regulations in the state of Nebraska and the role they play in the 407 process. I've not heard from them again. That was sometime last week. So there is some alarm there. So for me, and, obviously, in relation to Senator Krist mentioned past Chief Medical

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Officers, I know already we've mentioned some past efforts of DHHS. I mean, I think we all have to recognize and be honest the reputation that DHHS has in the body, or at least many members of the body, of we get vague answers, conflicting answers, noncommittal answers, we get told yes, we get told no. They're telling us they're not testifying and then they come and oppose. We get fiscal notes that contradict with previous written reports, all sorts of things throughout our testimony and in their process in the Legislature. I mean, I one time had to go to Legislative Fiscal Office showing that their fiscal note was in direct opposition with a brief they filed in court. The fiscal note saying they weren't doing something; the court brief saying they were doing something, and just asking for clarification. And that's kind of the level of practice that DHHS has had over the past few years and I know that's led many people, including myself, to not confirm the previous Chief Medical Officer. And I just...colleagues, I just worry that's more and more of the same. I worry that we're going down that path. That's why I wanted to make sure we get up and talk about it and have a moment to kind of reflect and make sure that we know whether or not you choose to confirm Dr. Williams or not, that we know and we get on the record and we make sure they're aware that this continuation of just disconcerting behavior isn't okay. That's one of my concerns. I mean, I can talk more specifically on the psychologist regulations maybe on my next time on the mike, or maybe leave it up to Senator Morfeld. But I just have to share this story just to really emphasize the scope and how long of a practice this has gone. So in the early days when this whole psychological regulations debate was going on, 2008-2009, I was still in college. In fact, I was a double major between political science, psychology, and I was applying to law school. And one of the professors, who is a psychology professor, came up to me and said, oh, we're having this big regulations fight. Hurry up, get through law school; get an office so you can solve it. And we kind of chuckled and laughed, it's like oh, no, no, no, we'll solve it by then. Well, it's eight years later and I've actually been able to do all those various things and hopefully now I'm in a position to help solve this. You know, that's just a moment of levity to just explain the just unusual and abnormal length that this particular regulatory process has gone. And relating it back to Dr. Williams, the fact that we can't get a straight answer on the view of his role of his office in this process, how he would want to rule, how he will want to approve these regulations, what concerns he wants to hear, what interests he's going to weigh.

SENATOR HOWARD: One minute.

SENATOR HANSEN: It's just kind of been radio silence on our end when we've been asking and we inquire. And this is the process, as Senator McCollister pointed out, several of us have been working on for months now. So those are some of my concerns. I wanted to make sure I got in the record. Thank you, Madam President.

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SENATOR HOWARD: Thank you, Senator Hansen. Those wishing to speak include Senator Harr, Senator Pansing Brooks, Morfeld, Krist, Bolz, and Chambers. Senator Harr, you are recognized.

SENATOR HARR: Thank you, Madam President. Is Senator Riepe available for a question?

SENATOR HOWARD: Senator Riepe, will you yield?

SENATOR RIEPE: Yes, I will.

SENATOR HARR: Thank you, Senator. You're Chair of Health and Human Services?

SENATOR RIEPE: That's correct.

SENATOR HARR: Okay. And how long have you been on the committee?

SENATOR RIEPE: This is my third session.

SENATOR HARR: Okay. And during that whole time there have never been rules and regulations in regards to the issue today with psychologists and psychiatrist.

SENATOR RIEPE: In particular to psychologists...I have not seen those.

SENATOR HARR: Okay. Have you inquired or has your legal staff inquired as to why there is a holdup?

SENATOR RIEPE: We have not because we have not been asked to.

SENATOR HARR: Excuse me?

SENATOR RIEPE: We have not been asked to specifically on this particular program.

SENATOR HARR: Okay. But you were aware that there were not rules and regulations in this specific area. Is that correct?

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SENATOR RIEPE: I was not aware that there were not...there...(inaudible) of rules and regulations, and I was not aware that there was a particular problem in the psychology area.

SENATOR HARR: Okay. Thank you. I appreciate that. Senator Morfeld, would you yield to a question?

SENATOR HOWARD: Senator Morfeld, will you yield?

SENATOR MORFELD: Yes.

SENATOR HARR: You were aware obviously, you sent a letter December 30, that there were no rules or regs, is that correct?

SENATOR MORFELD: Correct.

SENATOR HARR: Okay. Did you cc the Health and Human Services Committee?

SENATOR MORFELD: Yes. Actually the Health and Human Services Committee Chair is one of the cosigners of one of the letters.

SENATOR HARR: Okay. And that was when it was Senator Campbell, is that correct?

SENATOR MORFELD: Correct.

SENATOR HARR: Okay. And you are...are...you're not on Health and Human Services, are you?

SENATOR MORFELD: I am not.

SENATOR HARR: Okay. Do you know if this issue was brought up in the confirmation hearing in front of the Health and Human Services Committee?

SENATOR MORFELD: Since I'm not a member of the committee, I'm not aware if it was or not.

SENATOR HARR: Okay. Thank you. Folks, I find it appalling, last Friday...Senator Ebke, would you yield to a question?

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SENATOR HOWARD: Senator Ebke, will you yield?

SENATOR EBKE: Yes.

SENATOR HARR: Actually, I apologize. You were gone having a grandchild when I had my hearing, so I apologize. Senator Pansing Brooks, would you yield to a question?

SENATOR HOWARD: Senator Pansing Brooks, will you yield?

SENATOR PANSING BROOKS: Yes.

SENATOR HARR: Thank you. Senator Pansing Brooks, you are on Judiciary, is that correct?

SENATOR PANSING BROOKS: That's correct.

SENATOR HARR: And you heard my testimony regarding parental notification, a bill I was trying to clarify due to a problem in the rules and regs?

SENATOR PANSING BROOKS: I did.

SENATOR HARR: Okay. And for those of you who aren't aware, I had...Senator Brasch had a bill in 2011 that changed us from parental consent...excuse me, parental notification to parental consent. And there's an issue in there about what happens with foster care children. And the rules and regs were not consistent with the current law. Is that correct, Senator Pansing Brooks?

SENATOR PANSING BROOKS: Yes, that is correct.

SENATOR HARR: And we are March 20, 2017, is that correct?

SENATOR PANSING BROOKS: It is.

SENATOR HARR: Six years later; and has that problem--rule or reg within HHS been corrected?

SENATOR PANSING BROOKS: No, it has not.

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SENATOR HARR: Folks, we got a real problem here. It's not just limited to Senator Mello's issue. HHS was horribly run for a long time. I'm going to say it. Whether you want to blame Kerry Winterer or not, I don't care who you want to blame, we have someone good in there right now and she's trying her best. But we got a real problem. We have rules and regs that nothing is happening. Whether it's here, whether it's my instance, my circumstance, my situation, we got to do something. I always hear we overregulate, we overregulate, we overregulate. Well, this isn't overregulating, this is nonregulating.

SENATOR HOWARD: One minute.

SENATOR HARR: This is terrible what's happening. There is a role and a job for rules and regs and they're advocating that. I have a real problem with that. I'm not sure where I'm going to vote on this because I do agree that Dr. Williams seems to be a good person. Senator McCollister, Senator Riepe like him. That means he's good. But at some point we got to stand up, folks, and say if we're going to give the executive branch the power of rules and regs, they got to use it. And if they don't, maybe we just need to repeal the Administrative Procedure Act. Thank you.

SENATOR HOWARD: Thank you, Senator Harr and Morfeld and Ebke and others. Senator Pansing Brooks, you are recognized.

SENATOR PANSING BROOKS: Thank you, Madam President. Well, I have a lump in my stomach right now. If we were standing up talking about psychologists not being able to treat people who are heavy or fat, I think people here would be like, well, that doesn't seem fair, they need to have counseling and psychological help. Or if we were talking about people who had some form of ADHD, attention deficit, we'd say, well, that doesn't seem reasonable, why wouldn't the Department of Health and Human Services help on something like that? But we're talking about LGBT, our brothers and sisters; and I will remind the newbies that I have a son who is gay, and you may all think that's terrible and dismiss it. He's an amazing young man. And when I sit and think about my friends and his friends and our coworkers, yes, even here in the Legislature, you may not want to admit it, but your life is made better by LGBT employees of the state; shockingly, I know. So I have a pit in my stomach because we have allowed this to go on for over a decade. I will read you the letter from the president of the Nebraska Psychological Association, Anne Talbot. Dr. Talbot says: for nearly a decade, the Nebraska Department of Health and Human Services, and two successive governors have allowed a religious group to assert undue influence on the signing of updated licensing regulations. You remember that group was terribly discriminated against in the early part of the 1900s, and even up to the point where President Kennedy, people were trying to decide whether they should vote for a Catholic for President. And now we look at it and think it's ridiculous. But now that group is trying to...now that there is a protection, a religious classification for protection against discrimination for any

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kind of religion, now they want to assert their power to say, oh, these groups of people shouldn't have protections. Why am I, an LGBT person, want to go to a psychologist? Let me count the ways. Maybe because they're not accepted. Maybe because people discriminate against them. Maybe because the legislators in the body of the Nebraska Legislature don't want to say they have a right to work and can't be discriminated against because of the person whom they love. But only on their qualifications. Gee. Maybe because they lack other rights on housing and all sorts of things. Religious rights are protected. LGBT rights are not. The rule of do no harm does not have a little exception that says except if it conflicts with your religious views. How could anybody be so heartless to say I don't have to treat somebody or refer somebody to another psychologist? We're going to hold up the rules and regulations because we don't want to even have to deign ourselves, to lower ourselves to communicate in a kind and compassionate way with our LGBT brothers and sisters. Again, my stomach hurts when I think that we have to discuss this and argue this. Dr. Talbot went on to say, this issue is not just about referring people for, quote unquote, counseling. Clinical psychologists diagnose and treat the full range of mental illnesses, including very serious ones.

SENATOR HOWARD: One minute.

SENATOR PANSING BROOKS: Our patients are often extremely vulnerable, at high risk for suicide and other calamities. Doesn't matter in Nebraska. We don't care about what they feel or what their mental state is or how hurting they are. I hope that we will all stand and say no more. If you cannot bother to support somebody to be able to work for their quality of their work, at least allow people to be able to get the help that they need. This really is shocking to me. Thank you, Madam President.

SENATOR HOWARD: Thank you, Senator Pansing Brooks. Senator Morfeld, you are recognized.

SENATOR MORFELD: Thank you, Madam President. I think Senator Pansing Brooks, Senator Harr, Senator McCollister all bring up good points. And I want to note for the record, based on my very brief conversation with Dr. Williams before I brought up this issue, and his credentials, and everything that I've heard, it seems like he's an exceptionally qualified candidate for this position. That being said, it's clear that the message is not resonating with the administration that they need to forward on rules and regulations that uphold the standards that are nationally recognized by many other bodies governing psychologists. They need to forward these on to the Attorney General and they need to be passed and approved. And because the administration seems dedicated to being obstructionists on this, as the last administration was, I am going to be obstructionist when it comes to this gentleman's confirmation, because it doesn't seem like there is any other way that this issue is going to resonate with the administration at all. And as I was

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reading through this time line, I realized that my paper was actually double-sided and I missed some key points in the lack of approval of these administrative regulations. I want to make sure that they're on the record. In June 2009, the Department of Health and Human Services holds the required public hearing for the revised psychology regulations. The Nebraska Catholic Conference again demands a conscience clause in the revised regulations allowing denial of services and referrals related to sexual orientation and gender identity. The Board of Psychology carefully considers all public feedback. In fall 2009, the Board of Psychology seeks guidance from the American Psychological Association Ethics Office, the Association of State and Provincial Psychology Boards, Psychological Association Board of Directors, and the Board of Psychology public member Christy Rentmeester, a medical ethics faculty member at Creighton University, all recommend against including the Nebraska Catholic Conference conscience clause language and revised psychology regulations. The Board of Psychology declines to include the proposed conscience clause language. In spring 2010, the Board of Psychology is encouraged by the DHHS administration to seek a workable compromise with the Nebraska Catholic Conference officials on the need for an appropriate patient-centered referral in cases where a licensed psychologist declines to provide services due to, quote, deeply held moral convictions, end of quote. The Board of Psychology agrees that a psychologist can deny services for a variety of reasons, including lack of competence or personal conflicts of interests, but an appropriate patient-centered referral must be made for the denied services. The Nebraska Catholic Conference rejects this proposal. I'd like to repeat that. They reject even providing an appropriate referral to another psychologist if that psychologist declines treating that patient for personally held moral convictions. A defensible compromise based on all that information with the Nebraska Catholic Conference cannot be reached according to the Board of Psychology. In June 2010, the Nebraska Board of Health reviews the revised psychology regulations without the proposed Nebraska Catholic Conference language and the public hearing feedback. The revised regulations are approved by a 12-1 Board of Health vote...12-1...overwhelmingly approved by the Board of Health. The DHHS Chief Medical Officer Schaefer, at the time, announces that despite the Board of Health's decision, she will not allow the revised psychology regulations to go forward without Nebraska Catholic Conference approval.

SENATOR HOWARD: One minute.

SENATOR MORFELD: Thank you. Colleagues, this is being held up by one interest group that has been heard time after time. Their suggestions were considered. They were consulted. The Board of Psychology went to numerous national experts to get their feedback. This interest group's recommendations were rejected based on ethical and professional standards; and yet it's still being held up seven years later. It is unacceptable. When people are at their most vulnerable, they are going to mental health officials and they are seeking services. And then when told that some part of their, quote, lifestyle is immoral, they are then denied even the dignity of a referral.

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That's all we're asking for here, a referral. These rules and regulations must be passed and they must be passed with a required referral clause.

SENATOR HOWARD: Time, Senator.

SENATOR MORFELD: Thank you, Madam President.

SENATOR HOWARD: Thank you, Senator Morfeld. (Visitors introduced.) Moving on with debate, Senator Krist, you are recognized.

SENATOR KRIST: Thank you, Madam President. Colleagues, I just want to once again emphasize that...and I'm glad Senator Brewer is back, because he can affirm this, a shot across the bow is not intended to hit the target and kill it. It is simply a shot across the bow says I'm playing really serious now, you should think about the actions that will come next. Now, if we were bracketing the target, we hit on the left and the right and then we'd hit on the dead center of the bow and take it down. But that's not what this is. Dr. Williams has not been here for all of what we have discussed, and certainly what Senator Morfeld has gone back to in terms of the chronology. There are different people at the Catholic Conference now. Those people that may or may not have made the same decision or would make the same decision in the future. And I would invite them to come to the table as well. That was a hardcore stance by the Catholic Conference that I think was not intended...well, it just didn't work out in good faith, in my opinion, and they should have come to an agreement. Neither here nor there. Williams is new to the process. His credentials are wonderful. I think he's overly qualified for the job, if you'll allow me that opinion. But the point is, if we dive down into things that have happened in Health and Human Services in the department by itself over the last eight to ten years, their performance has been dismal. It is getting better under the direction of Courtney Phillips, CEO Courtney Phillips, who seems to have a handle on how to compartmentalize her time and keep her people on track. My initial comment about Dr. Williams is he needs to learn how to come to a committee and tell the truth, the whole truth, and nothing but the truth, and stay off the opinions that he might have that do not relate to his medical profession, and giving us a read on how the Governor actually feels about anything. Last time I checked, that wasn't important. What was important is that we were doing the best thing for the state of Nebraska, and then the Governor got to weigh in and either veto it or approve it. But in the initial stages of legislation, it is up to us. And the information that we need to gather and put the best information or the best laws in place or the changes to statute is up to us, up to 49 that sit in this Chamber. Again, I will vote for Dr. Williams in the hopes that his credentials, as bright as they are, will reflect in his performance in the next few years as our medical officer for the state of Nebraska. As far as Senator Morfeld's issue, I, too, have an issue. I passed a bill, I told you about it on the mike several weeks ago, I passed a bill that is two years overdue being implemented because the EPA won't talk to us.

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There's no response. Ms. Phillips is looking into the matter, and I appreciate that, but when laws are set in place and statutes are changed, we need to apply the oversight to make sure that those bills are passed...or is implemented; there's no question about that, but two years? And it's a water issue; it's a clean water issue. It's also an economic issue. It's allowing laboratories throughout the state...throughout this state to provide that same service. We can't keep dragging our feet into the future. I'll support Dr. Williams on this one. And I will say, again...

SENATOR HOWARD: One minute.

SENATOR KRIST: ...there are some issues that in a confirmation hearing, if it's your committee, you need to ask the right questions. When someone comes before you in your committee and there is this kind of delay in doing something so important for the state, we have talked about the lack of psychologists and psychiatrists in the state of Nebraska throughout the Corrections process for the last five years. This is prohibitive. People don't want to come here. We need to ask the right questions in committee and we need to be serious about these confirmation hearings and your vote on the floor. It's not something to be rubber stamped. We have to live with their leadership or their membership on a committee for a long time. Thank you, Ms. President.

SENATOR HOWARD: Thank you, Senator Krist. Senator Bolz, you are recognized.

SENATOR BOLZ: Thank you, Madam President. Before I was an elected member of this body, I was a member of the Nebraska Association of Social Workers Advisory Board. And at that time, which was more than six years ago now, we worked on this issue. And how that relates specifically to the confirmation of Dr. Williams is that it would be my expectation that a director of public health would work on compromises and would look to different stakeholders to find solutions to issues such as this. And the National Association of Social Workers has a code of ethics. And the code of ethics addresses this issue in this way: 1.06 Section of the Code of Ethics references conflicts of interest: (a) Social workers should be alert to and avoid conflicts of interest that interfere with the exercise of professional discretion and impartial judgment. Social workers should inform clients when a real or potential conflict of interest arises and take reasonable steps to resolve the issue in a manner that makes the clients' interests primary and protects clients' interests to the greatest extent possible. In some cases, protecting clients' interests may require termination of the professional relationship with proper referral of the client. I read this to you, colleagues, because this is an example of the kind of compromise language that could come out of these rules and regulations with the proper leadership, with a proper stewardship of the regulation process. So resolution is possible. And by working with stakeholder organizations and looking to models and other professional associations and codes of ethics and organizations we can move forward. And it would be my expectation that Dr.

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Williams would not only be aware of this issue but would shepherd and steward common ground and resolution. So as a social worker, I think that this balances ethics and conscience quite well. It's possible to move forward. And I hope that Dr. Williams, if confirmed, will be committed to doing so. Thank you, Madam President.

SENATOR HOWARD: Thank you, Senator Bolz. Senator Chambers, you are recognized.

SENATOR CHAMBERS: Madam President, members of the Legislature, I've listened very closely. I've been an observer for decades of how the Legislature has steadily allowed itself to be demeaned, debased, abased, insulted, treated with contempt, being treated with disdain, given the back of the hand, spat upon, then made to lick up whatever spit didn't stick to their face. That's what's happening now. The legislators who are to exercise oversight, who has the power to exercise oversight are whining, begging, the very ones who have told you that they have contempt for you. I've spoken in this vein numerous times. If I were the Governor, why should I listen to you? I don't like you. I don't respect you. You don't do your job. You can control the purse strings, but I'm even going to tell you how to spend the money. You are supposed to make that decision, and I'm going to tell you how to make that one. They walk all over you all. They don't walk all over me. They avoid me. Do you think a lion would feel the need to negotiate with a gazelle? To negotiate with a zebra? Gazelles are fast runners. Senator McDonnell, you may not be acquainted with the ways of animals, but do you know how a lion views a gazelle? Not as a foe, but as fast food. The gazelle runs fast, but the gazelle is the lion's food. That's what this Legislature is for the Governor, except it's more like tobacco. He chews you for a while, then he spits you out. And then you're going to give him what he sends over here in a man who talked before the Judiciary Committee and made of himself, in my opinion, a jackass. He made statements which he could not back up; made assertions that might cast aspersions on other doctors for prescribing medical cannabis. So I asked him a series of questions. And finally I asked him, are doctors who prescribe medical cannabis behaving in an unethical way? He said no. Which didn't go along with all the mess he had talked about before. Which showed me he's accustomed to talking to people who let him have his way, who will not make him show what he knows and expose him for what he's ignorant of. You aren't going to get the Governor to do anything. You're not going to get HHS to do anything. Somebody said this issue was going on six years ago. It's here now. Letters have been written. No response. There are other legislatures in other states where that would never happen. A legislature is going to be ignored by the head of a state agency and the agency is funded by the Legislature? There was a fellow who in the old days was called a "Communis." (Latin) We would call him a Communist. And this "Communis" told America, we will bury you. This "Communis" said that America would use a rope and hang itself and they'd provide America the rope. That's what can be said about this Legislature. I'm in this Legislature, but I'm not of this Legislature.

SENATOR HOWARD: One minute.

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SENATOR CHAMBERS: I'm not going to plead with Courtney Phillips to do anything, the director. She has a boss who has told her what she must do if she wants to keep her job. And she keeps her job, so she's doing what is required. This doctor, based on things he said, I would refer to him as a quack. The Health and Human Services Committee did not do its job. People dread coming before the Judiciary Committee because I'm there. They now send underlings because they don't want to come...the Attorney General will never appear before the Judiciary Committee if I'm going to be there that day because they know it's not going to be a walk in the park. It's not going to be a lark. So I'm not going to put in a plea for my LGBT brothers and sisters...

SENATOR HOWARD: Time, Senator.

SENATOR CHAMBERS: ...I do that periodically anyway.

SENATOR HOWARD: Time, Senator.

SENATOR CHAMBERS: Thank you, Madam President.

SENATOR HOWARD: Thank you, Senator Chambers. Senator Hansen, you are recognized.

SENATOR HANSEN: Thank you, Madam President. Colleagues, I appreciate the discussion we're having on this and the overall role of HHS and its relation to the Legislature and how specifically Dr. Williams' appointment relates into that. I do agree and recognize Senator Krist's point that many of these issues are obviously predating much of the tenure, especially of Dr. Williams and even of Director Phillips and many of the other new appointees under the new administration in HHS. So obviously, we're not...at least I, personally, am not upset at a decision 2008, holding that to Dr. Williams when he, obviously, wasn't there. My concern, my concern and my hesitation was when I asked just for kind of broad perspective on how he thought about this organization, I got no answer. I got a "that's not my office" response. And as Senator Morfeld pointed out in the time line, if the Chief Medical Officer, in terms of approving this psychologist regulations is the step between the Board of Health and the Attorney General in the multiple-round approval process. It's something that's going to come to his desk at some point in the future. And just asking him kind of what he thought about it wasn't even like I haven't studied the issue, I'm not prepared to comment, which...it's been something legislative members have been asking the department about in your tenure, should have hopefully come up. It was...it was--I don't think that's under my role as Medical Officer. That's the concern I have here is you've been on the ground, you've been in office for several months now; these issues have come up, people have asked, people have inquired. At least some of the hearing was on the...the confirmation hearing, which I actually had the luck to sit through, because I had the first bill in HHS following, was on rules and regulation, and, frankly, we should go back and get that

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testimony, have some people look at it because there were some less than full confident answers, how I'll describe them, to questions just about rules, regulations, the 407 process. Which I'm not necessarily going to speak to, because I, not serving in that committee, don't have the full scope on. But even just as a noncommittee member, (inaudible) expert sitting in the third row listening, kind of, you know, piques...raise some eyebrows. So that's where...that's why I wanted to make sure we get up and have this on the record, as well as have a real clear evidence that some members of the Legislature are really aware of what's going on with the psychologist regulations. I think we've done a good job so far and I hope we'll continuing to do so of putting the issues out there, making people aware of what is going on, what the stakes are, who is being roadblocks and so on. I think Senator Bolz had a great point about the ease of other groups regulations to do this. I think anybody who is an individual...I certainly know I'm bound by ethical obligations of an attorney, but anybody who feels that in an ethical, kind of fiduciary duty between themselves and an individual as a professional knows if they cannot treat them or, you know, or process their case in a fully fair way to the individual, knows that they can't, they have to give it up and knows they have to pass it on. I don't think anybody disputes that if a psychologist doesn't think they can provide the best services to a client for whatever reason, they probably shouldn't, but...but they do have an ethical duty to make sure that person gets referred appropriately to someone who can, just like many other professions have an ethical duty to refer and make sure they get somewhere where they have...where they can have appropriate help. That's the thing we're sticking up here is...is...and I want to point out that the psychologists are routinely, routinely in favor of just having the ethical duty that's in the nationwide standard.

SENATOR HOWARD: One minute.

SENATOR HANSEN: Thank you, Mr. President. Looking at some of the materials we've had today, the most recent draft, which I'll have to double-check, I think the most recent draft might start overlapping with Dr. Williams' administration, starts removing references to the national APA, American Psychological Association's code of ethics which does have similar provisions. So we're going farther that we don't even want to reference other documents that might include similar recommendations. And that's just...which we've done every year on all the past through this. So I appreciate that we're having this discussion today. And I keep tying it back to I understand we cannot pin all this on the current administration, but the current administration has inherited it and various members of that administration had the option to work on it for years or months, depending on the roles and their appointment time lines, and I still don't think we're making the progress that we need to make. So we'll be well aware of it. Thank you, Madam President.

SENATOR HOWARD: Thank you, Senator Hansen. Senator McCollister, you are recognized.

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SENATOR McCOLLISTER: Thank you, Madam Chair...Madam President; and once again, colleagues, good morning. Once again, I mention that Tom Williams, Dr. Tom Williams is eminently qualified to serve. And if he is ultimately chosen, which he probably will be, I hope he will take this matter up; should be number one on his to-do list. As I mentioned before, five of us sent a letter to Courtney Phillips, Director Courtney Phillips on December 30th. And I would like to read just one paragraph from that letter: If the department continues to aid in the delay of the approval of the psychology rules and regulation, we will be forced to take legislative action. The delay is harmful to the practice of psychology, and the outdated regulations shouldn't...not be sent back to square one when approved regulations already exist. I would point out that this letter, once again sent out December 30th, was signed by Kathy Campbell, the Chair of HHS in our Legislature; Senator Sue Crawford, Senator Matt Hansen, Senator Adam Morfeld, and John McCollister. So, I would suggest that we could delay this confirmation until we at least get a response from Director Phillips. I understand that's not possible. So I just think as common courtesy we should get a response from the department before we...much more time passes. One more thing, I got an e-mail from a social worker in my district: Senator McCollister; I did not realize this issue was to come up this morning. Social workers, as LMHPs, licensed medical health practitioners, are in this group of professionals who have had the regulations held up for years. This has been a battle we've been fighting for years. I'm so glad it is finally getting attention now. The issue is about the conscience clause being inserted violates our nationally established code of conduct ethics that we are required to follow as professionals. And we are very proud of our code of ethics. Don't let the LMHPs, social workers, counselors, and marriage and family therapists down. There are master level therapists provide much of the mental health services in our state. Your social worker friend in District 20. It's time we moved on, think that Director Phillips should send us a response, at least those five senators that sent her a letter December 30th. I would relinquish the balance of my time to Senator Krist.

SENATOR HOWARD: Thank you, Senator McCollister. Senator Krist, you have 2:00.

SENATOR KRIST: Thank you, Ms. President. Thank you for your courtesy, Senator McCollister. I was just...you know the old saying--the squeaky wheel gets its greased. Well, I got greased. Courtney Phillips called me out...Director Phillips called me out and told me that in relationship to my water bill that I spoke about, it is now back on track and the EPA has reported back. But I'm sure it was not without her help that...in expediting that process, and I really appreciate that. Back to the matter at hand, once again, it is not possible to delay this vote. It will be an up or down vote; at least I think it should be an up or down vote. And I think you should vote green and give Dr. Williams the chance that he deserves. With these kind of credentials, I'm just not sure that we're going to find anybody better for the job. But I think, again, the shot across the bow is simply give us the information that we need, whether it's deemed to be politically correct or not, that's your job as a medical professional. And also to look out for the needs and

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the health and safety of 1.9 million people-plus across the state of Nebraska. With that thank you, Ms. President.

SENATOR HOWARD: Thank you, Senator Krist and Senator McCollister. Senator Pansing Brooks, you are recognized.

SENATOR PANSING BROOKS: Thank you, Madam President. Well, colleagues, I just want to remind you that psychologists do get to decide not to treat someone if their convictions interfere with their effectiveness and judgment. That's not the issue. I don't think anybody has a problem with somebody who is of the Catholic faith feeling like they can't be the best psychologist for whatever client they may have before them. But as things stand now, and what we're talking about is just needing to refer a client to protect the public safety, the client safety, and to make sure that there's a positive referral. That is a sticking point...that is the only sticking point, the referral; it's merely a referral. How crazy is that? Nobody's saying that you have to treat somebody, but they're saying you have to refer somebody appropriately. I wish the fabulous Director Courtney Phillips would also then...I guess Senator Krist was able to get that fixed, I wish she'd say, yeah, we can do that, we can get this fixed on this issue. My understanding is the last...there was a last draft that was put forward in February of 2017, and it wasn't put forward by the Board of Psychologists and it excluded anti-discriminatory language. So that's still under Dr. Williams' purview. No one is saying that the psychologist must treat. We don't think you'd be effective either in treating them if you don't think they're doing the right thing, then stay away from them, but please refer. To refuse to refer, I think, is unconscionable; the unconscionable conscience clause. I'm going to continue a portion of this letter from Doctor...the head of the psychologist, Nebraska Psychologists Association, Dr. Anne Talbot. She goes on to say: the Nebraska Constitution requires that the purpose of healthcare licensing is to protect the public...the public. Allowing psychologists to discriminate according to their deeply held convictions protects nobody, not even psychologists. No psychologist anywhere has ever been prosecuted, successfully sued, or disciplined for refusing to treat anybody. In fact, we're trained not to treat people when our personal convictions may interfere with our effectiveness. But when we do decline to treat people, we must also protect their safety and the public's. This often requires more than handing them a phone book and showing them the door. Incredibly this debate is about whether it's okay for a psychologist to do no more than that. If patients offend our deeply held convictions, no matter how suicidal, stressed, agitated, angry, homicidal, psychotic, demented, confused, or dangerous they may be. Dr. Talbot goes on to say: It is also government overreach and regulatory micro management at its worst to prescribe in licensing regulations a canned minimum response for such a huge range of situations. Sometimes a referral can be as simple as looking practitioners up in a directory.

SENATOR HOWARD: One minute.

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SENATOR PANSING BROOKS: Sometimes it's extremely sensitive and risky situation with potentially catastrophic outcomes. Again, this has been going on since Dr. Williams came in August. We have letters confirming that everybody has been included in this discussion. And he's chosen not to. What's the next step, my friends? Hospital referrals? We're not going to refer you to a hospital because you offend my deeply held religious beliefs. I'm not going to refer you to another medical doctor even though you're having heart issues, not going to refer you to a heart surgeon, because of my deeply held religious beliefs. Go ahead and have a heart attack. I don't think anybody would think that was reasonable, no matter what kind of person we were speaking of. And no matter whether it was my son who's gay.

SENATOR HOWARD: Time, Senator.

SENATOR PANSING BROOKS: Thank you, Madam President.

SENATOR HOWARD: Thank you, Senator Pansing Brooks. Senator Morfeld, you are recognized, and this is your third time.

SENATOR MORFELD: Thank you, Madam President. Colleagues, while I may or may not vote for Mr. Williams...or Dr. Williams, I should say, I do want to note that I do believe that he is qualified, I do believe he's probably the best person for the position, but I am concerned by the administration's complete failure...this one and the one before them...to do what is right and to do their job. And I think that having a discussion for a few hours today on Dr. Williams' confirmation is the bare minimum of what we should be doing to address this problem that has been a problem for eight years now. A complete failure to pass commonsense rules and regulations governing the practice of psychologists, and not even just psychologists, I stand corrected, also social workers. This hurts our ability to recruit this critical field and people to our state, which we have seen time after time has consequences in terms of addressing the needs of ordinary Nebraskans. I think it's also important to note that this referral clause...and I want to step back for a second, we are not asking that the rules and regulations force a psychologist or another person working in the mental health field to actually treat somebody. I want to repeat that. We are not asking that anyone be forced to provide services or treat somebody that they have some kind of conflict with their conscience with. We are simply asking that once they deny them services based on that reason, that they be referred, they be required to refer that individual to somebody who will treat them. And we have to remember, when somebody is going to a psychologist for help, they are at their most vulnerable, and particularly our LGBT population, which faces disproportionate discrimination based on who they are. These are individuals that need these services. And I would think that it would be traumatizing enough to get to the point where I need to reach out to a mental health individual to help me out, but then be denied based on who I am, and then be given the indignity of not even getting a referral to somebody that will

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help me. If that isn't despicable, then I don't know what is. And it's important that these rules and regulations are not meant to protect necessarily the individual interests of the practitioner, but rather the public. This should not be about the individual practitioner. It should be about the public and ensuring that they get the services that they need. Colleagues, we need to make sure that it is clear that the status quo of not having updated rules and regulations for our psychologists is unacceptable. It is unacceptable, we need to ensure their path, it's about the public safety, and the interests of all Nebraskans to have updated rules and regulations for psychologists and other practitioners to ensure that, number one, we can recruit those practitioners to the state of Nebraska, keep them in Nebraska, and most importantly, that the public receives the services that they need that are critical. Thank you, Mr. President.

SPEAKER SCHEER PRESIDING

SPEAKER SCHEER: Thank you, Senator Morfeld. Senator Kolterman, you're recognized.

SENATOR KOLTERMAN: Question.

SPEAKER SCHEER: The question has been called. Do I see five hands? I do. The question is shall debate cease? There's been a request for a call...there's been a request to place the house under call. The question is shall the house go under call? All those in favor vote aye; all those opposed vote nay. Please record.

ASSISTANT CLERK: 29 ayes, 0 nays to go under call, Mr. President.

SPEAKER SCHEER: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber please return to Chamber and record your presence. All unauthorized personnel please leave the floor. The house is under call. Senator Watermeier, Brasch, Linehan, Brewer, Murante, the house is under call, please return to the Chamber. Senator Linehan, Senator Murante, please return to the Chamber, we are under call. All are accounted for. The question is shall the debate cease, all those in favor vote aye; all those opposed vote nay. Have all voted that wish to? Record, Mr. Clerk.

ASSISTANT CLERK: 37 ayes, 10 nays to cease debate, Mr. President.

SPEAKER SCHEER: The motion passes. I'll continue the call of the house. Senator Riepe, you're recognized to close on your report.

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SENATOR RIEPE: Thank you, Mr. Speaker. I would like to do...I did go back and review the minutes from the actual confirmation hearing. And at that hearing Senator Howard did, in fact, bring up the subject about the psychology. So I wanted to acknowledge that. Also I wanted to say that the letter that was sent to Ms. Phillips from the five individuals signing that today, I received a copy of that. I had not received that prior to. I would like to say too, the role of DHHS, the medical director is a complex, hence a tough role. It's one-third of the entire state budget and interfaces with people. Like a cathedral, we are all a work in process, including Dr. Williams. The proposed confirmation is about the capacity and the willingness of Dr. Williams. I'm not here to address the merits of any particular program, but rather the fitness of Dr. Williams for the vote. Please vote green for the confirmation of Dr. Williams. Thank you, Mr. President.

SPEAKER SCHEER: Thank you, Senator Riepe. The question is the adoption of the report offered by the Health and Human Services Committee. All those in favor vote aye; all those opposed vote nay. There's been a request for a roll call vote. In regular order, Senator? Mr. Clerk.

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 752-753.) The vote is 39 ayes, 2 nays, Mr. President, on the adoption of the report.

SPEAKER SCHEER: Thank you, Mr. Clerk. The report is adopted. Next item, Mr. Clerk. The call is raised.

ASSISTANT CLERK: Mr. President, the next report from the Health and Human Services Committee is five appointments to the Nebraska Rural Health Advisory Commission. (Legislative Journal page 746.)

SPEAKER SCHEER: Senator Riepe, you're recognized to open on your report.

SENATOR RIEPE: Thank you, Mr. President; good morning, colleagues. I appear before you today as Chairman of the Health and Human Services Committee to present appointments to the Rural Health Advisory Commission. The Rural Health Advisory Commission is a Governor-appointed commission consisting of 13 members. The purpose of the commission is to advise the Department of Health and Human Services, Division of Public Health, the Legislature, the Governor, the University of Nebraska, and the citizens of Nebraska regarding all aspects of rural healthcare and to advise the Office of Rural Health regarding the administration of the Rural Health Systems and Professional Incentive Acts. We have three individuals that I'm bringing to you today. The first individual is Marty Fattig, who is a current chairman of the Rural Health Advisory Commission. He has been reappointed to continue serving as chair of the commission. Mr. Fattig is the current Nemaha County Hospital CEO and has been serving in that role since 2002. He is also the treasurer of the board of directors of the Nebraska Hospital Association and

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serves on the American Hospital Association Region VI regional policy board. The second nominee is Jessye Goertz, who is being reappointed to continue to serve on the Rural Health Advisory Commission. She is a facilitator of the Custer County Health Coalition in Broken Bow, which consists of agency organizations and others who are interested in the health of Custer County. She also serves on committees with the Nebraska Extension related to health. She also teaches nutritional education to elementary school students in Custer County. The next candidate is Dr. Brian Buhlke. And Dr. Buhlke is being reappointed to continue to serve on the Rural Health Advisory Commission, and Dr. Buhlke is currently a family physician at the Litzenberg Memorial County Hospital in Central City. And I do apologize, I do have two additional ones. The next one is April Dexter, and she has been appointed to serve her first term on the Rural Health Advisory Commission. Ms. Dexter and her husband own and operate a cow-calf operation in Amelia. She is a family nurse practitioner at the West Holt Medical Services, a critical access hospital in Atkinson, Nebraska, serving in the clinic and the emergency department. She has experience in building and implementing electronic medical records at multiple hospitals in western Nebraska. Ben Iske is a dentist and has been appointed to serve his first term on the Rural Health Advisory Commission. Mr. Iske is a graduate of Nebraska Wesleyan University and the University of Nebraska Medical Center, College of Dentistry. He completed his residency at the South Texas Veteran's Healthcare System. Mr. Iske has recently moved back to Nebraska to practice dentistry in Broadwater. I ask for your green vote to confirm these individuals to the Rural Health Advisory Commission.

SPEAKER SCHEER: Thank you, Senator Riepe. Senator Howard, you're recognized.

SENATOR HOWARD: Thank you, Mr. President. I rise in support of these confirmation reports for the Rural Health Advisory Commission. And I just wanted to take a moment to highlight specifically what Dr. Fattig had brought to us...Mr. Fattig had brought to us in terms of issues that are going on in our rural communities around healthcare. Specifically, he talked about workforce issues and the importance of loan repayment programs. This serves as a little bit of a preview for you of some of the issues that we're going to be looking at in the future around workforce, scope of practice, how to entice young healthcare professionals to come out to our rural communities. And I really do think that listening to and heeding the advice of the Rural Health Advisory Commission is incumbent upon us. And with that I would support all of the confirmation reports here this morning. Thank you, Mr. President.

SPEAKER SCHEER: Thank you, Senator Howard. Senator Krist, you're recognized.

SENATOR KRIST: Thank you, Mr. President. Very quickly, the pioneer in family practice in the state of Nebraska was Dr. Michael Haller at Creighton University; there were several other doctors involved, but Dr. Haller pushed hard for family practices and family...being a family

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physician and what that actually meant to a family having a go-to doc. That's exactly what Dr. Buhlke is for his community. And I applaud him, and I have seen him in action. I want to say a good word about Dr. Buhlke in terms of going forward. Family practice is a gift to the state and I thank Dr. Haller who passed away in 2004 for all of his efforts. Thank you.

SPEAKER SCHEER: Thank you, Senator Krist. Seeing no one in the queue, Senator Riepe waives closing. All those in favor of adoption of the committee report vote aye; all those opposed vote nay. Have all voted that wish to? Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal pages 753-754.) 42 ayes, 0 nays on the adoption of the report.

SPEAKER SCHEER: The report is adopted. Next item on the agenda, Mr. Clerk. Any items?

ASSISTANT CLERK: Mr. President, I do. New resolution--LR75 from Senator Vargas, that will be laid over. Amendments to be printed to LB576 from Senator Brewer. New A bill, LB44A, from Senator Watermeier (Read by title for first time.) And your Committee on Enrollment and Review reports LB10, LB10A, LB11, LB57, and LB62 all placed on Final Reading. That's all I have at this time. (Legislative Journal pages 754-756.) [LB576 LB44A LB10 LB10A LB11 LB57 LB62 LR75]

SPEAKER SCHEER: Thank you, Mr. Clerk. First item.

ASSISTANT CLERK: Mr. President, next bill is LB46A. There are no E&R amendments. The bill has been considered previously. [LB46A]

SPEAKER SCHEER: Senator Watermeier, would you like to refresh? He waives refreshing. Senator Chambers, you're recognized. [LB46A]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, I'm going to hound and harry this bill. I listened and told you as I was in the process of listening to the debate that was going forth on that last confirmation report dealing with Dr. Williams. All of the conversation meant nothing in terms of achieving a result that would have been appropriate. This bill is also the offspring of that organization that told HHS--you are not going to put any regulations for psychologists in place unless it has the approval of the Catholic Conference. Some years ago, I talked about the Catholic forces walking through this Legislature in seven-league boots, and some of the senators got upset. Senator Foley was there at the time, I believe. How horrible the things were that I was saying, because they were true. They talked about

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Catholic bashing. They haven't been bashed enough. I said keep them out of here, and I'll leave them alone. Now they have made crystal clear the nefarious power they exercise over this Legislature, as well as Health and Human Services. The Catholics are not doing the things that would cause anybody to view them as an organization; individual Catholics can come or go, do whatever they want to, makes me no difference. But when there are official positions taken by the Catholic Conference, by the Catholic Church, then the attack is against them legitimately because they bring their hides in here in a political setting, and they don't want to be dealt with like other soiled, contaminated, political operatives. And to dictate to HHS is inexcusable. Yet this bill, LB46A, on these license plates, "Choose Life," that's a Catholic issue. They can say, well, other people choose life. It's a Catholic issue. Their Catholic countries got tired of what the church was doing and they said women will be allowed to have abortions; family planning is allowed; birth control is allowed. They got sick of this backward, incrustated with hatred toward women organization run by men dictating to what their mothers, their sisters, their daughters, their nieces were going to have to contend with in a society presided over by these men who love to have sex with little boys. And the Pope knew it. Even now, as much respect as I have for Pope Francis, he is considering relaxing the sanctions against those who sinned against these little children. Joseph Ratzinger... [LB46A]

SENATOR LINDSTROM PRESIDING

SENATOR LINDSTROM: One minute. [LB46A]

SENATOR CHAMBERS: ...I call him "Ratzinger the rat;" who was the last Pope before Francis and went into retirement; was the bishop in Germany and they had the worst examples of sex abuse of children during his reign, and he carried over that lenient attitude when he became Pope. And now we have this license plate in front of us, and the people who are so indignant on the last issue are going to vote for these plates. They voted for that religious garb bill, and they did it...they kept invoking the person who might wear a hijab, but it was a Catholic nun who brought it to Senator Scheer's attention. [LB46A]

SENATOR LINDSTROM: Time, Senator. [LB46A]

SENATOR CHAMBERS: Thank you, Mr. President. [LB46A]

SENATOR LINDSTROM: Senator Chambers, you're next in the queue. [LB46A]

SENATOR CHAMBERS: Mr. President, for the record, do I have an amendment pending?
[LB46A]

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SENATOR LINDSTROM: No, Senator Chambers, you do not. [LB46A]

SENATOR CHAMBERS: All right. I'm going to offer some motions so that there will be something aimed directly against this bill. But I'm going to continue. After I railed against what the Catholic Church and the Conference was doing with their lobbyists, which no other church had in the Legislature, some Catholic outfit in New York, Catholic Civil Rights organization they call it...I don't know what they're called...had said what ought to be done to me here such as censuring me for what I said. And I welcomed it. But they didn't do it because they weren't that stupid. And I'm going to try to find some of the material that was being generated at that time. Even the World-Herald told them--don't do something like that. I'm going to see what these people who are so outraged for the LGBT community, which I am too, but I don't compartmentalize, I look at the ones who are behind that hateful conduct, how they want to say their religion counts. What about others? They don't even exist. This license plate expresses a religious point of view and one that is skewed, that is anti-woman, as much in the Catholic Church as anti-woman. The male who is Pope is talking about giving consideration to having married priests, letting priests marry. He ought to so that they will not burn in their lust toward little children. But he doesn't want to let females become priests. A male dominated, chauvinistic operation that has always been that way. I don't know if there are any orders of male priests who have to be quiet all the time. Maybe they have cloistered priests, but I've never heard of such, but that doesn't mean it's not so. That influence of that pernicious religion is overwhelming in this Legislature. Ordinary Catholics find themselves in a position of having to condemn practices of the church, attitudes manifested by various Popes, the lenient attitude toward these priests who have abused little children. There are Catholic organizations, Catholic survivors, who are criticizing the church very strenuously because the church's position is wrong, not just individual priests. When you have a principal and an agent, and the principal endorses the action of the agent, the principal is equally guilty and can be held accountable at law. [LB46A]

SENATOR LINDSTROM: One minute. [LB46A]

SENATOR CHAMBERS: But when it comes to the church, what did Joseph Ratzinger do when he was Pope? The Bishop, the Cardinal, Bernard Law in Boston who presided over the worst ongoing abuse of little boys was called to Rome by Ratzinger and placed over the number one basilica in Rome, Saint Mary's, I believe. That's what they did with this one who shielded perverted pedophile, predatory priests. That's what the church did, the top one in the church, and now they have the nerve... [LB46A]

SENATOR LINDSTROM: Time, Senator. [LB46A]

SENATOR CHAMBERS: Thank you, Mr. President. [LB46A]

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SENATOR LINDSTROM: Mr. Clerk for a motion. [LB46A]

ASSISTANT CLERK: Mr. President, Senator Chambers would move to indefinitely postpone LB46A. Senator Watermeier would have the opportunity to lay the bill over or take the motion up. [LB46A]

SENATOR LINDSTROM: Senator Chambers, you are recognized to open on your motion. Senator Watermeier, as principal introducer of the bill, you have the option to take up the motion or lay the bill over. [LB46A]

SENATOR WATERMEIER: Let's take it up right now, Mr. President. [LB46A]

SENATOR LINDSTROM: Senator Chambers, you're recognized to open on your motion. [LB46A]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, I'm going to take this bill to cloture, and rather than draft amendments, I can offer motions to get us there. This motion will not be adopted, but I will move to reconsider it. And I'm going to speak the times that I can on this motion. Then after that I will offer a motion to bracket it. And that motion, it's discussion, may take us to cloture, or at least until noon. And these two bills, LB46A and the underlying bill, LB46, will be on Final Reading. And I think, because these Catholics are wreaking havoc on the legislative process, I'm going to wreak some havoc on the legislative process. I'm going to do what you tolerate from the Catholics. Banning an agency from implementing rules and regulations...an official governmental agency cannot do its job because the Catholics said, you shall not do it. And the head person said go consult with the Catholic Conference. Go find out what they want. Why should the Catholic Conference consult with you? The Governor doesn't have to. He spit in your face. And you want to say that the church should be allowed to breach that wall that should exist between church and state. This is the reason why you need that, because politicians are so spineless. Keep the religious hypocrites in their cathedrals. Let them have all the masses that they want to. Let them be like the heathens that Jesus talked about who think they will be heard for their much speaking. Be not like the heathens, he said, engaging in veinless repetitions. That's what Jesus said. Jesus said call no man father. Jesus said that. And there's a church that contradicts many things head on that Jesus said. Makes me think it might be called the "Cathedral of Satan." Certainly it does not reflect what Jesus talked about. You know what he condemned? These Pharisees, he said they had their little phylacteries, these are little boxes that they could wear. And inside were tiny scrolls of the Torah, the Jewish law, and they wanted people to see how religious they were and they stood on street corners and let everybody see. And Jesus condemned that. And that's what happens around here. So you're going to have another chance to give these people what they insist on having. And

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what do they insist on having? The state to give its...to place its imprimatur on religious speech that is approved by the Catholic Conference. I believe Lieutenant Governor Foley testified on this bill, if I recollect what I read in the paper. And now, this body, in the same way that the Department of HHS will not do its job, is going to endorse political speech on the license plates that are officially issued by the state. And my colleagues have gotten strangely silent. Where were they on the last issue? Talking, talking, talking. And I pointed out all they were, were words. And they gave the Governor what he insisted on getting. That's why he doesn't pay attention to you. Why should he? He doesn't have to talk to you about anything. Why should he? Got a leash on you. And then he makes you sit on his lap. That's what a lap dog is. A lap dog is a little bitty dog that sits on the lap of somebody. It's not a dog that laps with its tongue. But there are running dog boot-lickers that Mao Tse Tung often spoke of, contemptuously, and hung that label on those for whom he had contempt. When this guy whom Mr. Trump named Secretary of State was going to try to deal with Kim Jung Un the way that he dealt with people at the oil company that he was in charge of, he laid down the law because Kim had fired four test missiles and said America is putting you on notice. We don't like that. Don't you do it again. So what did he do yesterday? Fired another missile. You all have to understand that people who wield power are different from you all. You all are allowed to play around the edges. But when time comes for the work to be done, they tell you what you better do, and you do it. They don't negotiate with you. They don't have to. So why should I? Maybe the best way to teach you is to do internally what these people are doing externally. But I couldn't carry it off, because you have to have a certain basic contempt for human beings to do that. You have to be willing to find people who are weak and attack them, bully them, strip them of their human dignity, their self respect, and I can't do that. And I don't think it takes strength to do that, I think it takes cowardice and weakness, because those kind of people don't come after people like me. And that's why I have so much contempt for them. They pick the weak among you. And once, just once, you ought to stand up. It has been said that a pride of lions led by a sheep would be defeated by a flock of sheep led by a lion. A lion leading a flock of sheep would defeat a pride of lions led by a sheep. Those who follow do what the leader dictates. The pride of lions would take on the nature of a sheep, and the sheep to the extent that they could, would take on the nature of the lion, because the sheep have a leader who will stand, who will fight. And they may not be able to roar like a lion, fight like a lion, but they're within the protective ambit of the lion. The pride of lions led by a sheep will learn how to say baa. And the roar of the lion will be stilled, like Puff the Magic Dragon ceased his fearsome roar. So this license plate bill has taken a lot of time so far. [LB46A LB46]

SENATOR LINDSTROM: One minute. [LB46A]

SENATOR CHAMBERS: And more time is going to be taken. I am particularly miffed, in case you can't pick it up, about what happened this morning. It probably would have been better not to speak against what HHS is doing because the Legislature's not going to do anything about it.

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So now you know what will be said? Let them blow off steam, then they'll be all right. They're not going to carry it over to anything else. You're going to give them this license plate. You already gave them the nun's garb in the classroom, unanimously, except for my vote, I believe. And the nun is one who represents the organization that hates LGBT people. And you all voted for them. You're foolish, you give them everything they want and you think it's going to make them respect you? [LB46A]

SENATOR LINDSTROM: Time, Senator. [LB46A]

SENATOR CHAMBERS: They have less. Thank you, Mr. President. [LB46A]

SENATOR LINDSTROM: Senator Watermeier, pursuant to Rule 6, Section 5, as the principal introducer of the bill, you're permitted to speak for five minutes on the motion. [LB46A]

SENATOR WATERMEIER: Thank you, Mr. President; and good morning Nebraska. I rise in opposition to Senator Chambers indefinitely postponing of LB46A. I do appreciate the conversation. I appreciate the members sticking with me. And at some point in time this morning, here, hopefully, in...11:30, 11:45 I will be asking for a cloture motion at that time. I will ask for a green vote for your cloture, a red vote on the indefinitely postponed, and a green vote on LB46A. Thank you, Mr. President. [LB46A]

SENATOR LINDSTROM: Thank you, Senator Watermeier. Senator Kolterman, you are now recognized. [LB46A]

SENATOR KOLTERMAN: Thank you, Mr. Chair. Somewhat reluctant to stand, speak about this issue. At some point in time you just have to follow your convictions. I've been pro-life my entire life. So when I decided to run for the Legislature, it wasn't any surprise that I was going to be pro-life. In fact, two years ago when we voted on the death penalty, one of the reasons I supported the pro-life keeping the death penalty...or eliminating the death penalty was because of my pro-life position. This isn't a Catholic issue. It's obviously not a Catholic issue. I happen to be a Lutheran. There's Baptists, there's Presbyterians in this body. There's Methodists that all support the pro-life movement. So Senator Chambers, as you talk about the Catholic Church, it offends me, and it offends the other Christians in the body. I would agree with you that sins of the past are not sins of the future. And I would hope that you would start thinking about that. It bothers me to hear you bash Catholics constantly because my wife happens to be a Catholic, as the rest of my...a lot of my family and a lot of the members of this body. I know for a fact that much of your intellectual knowledge comes from the Catholic...two Catholic degrees from Creighton University. Somewhere, someone along the line has hurt you deeply from the Catholic Church and I apologize for that. That's unfortunate. There isn't a person in this room that's not a

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sinner, not one person. The hypocrites that you talk about all the time, they're all in this room, including yourself. With that I would say, as Jesus said, love one another as I have loved you. And let's talk to the issues and quit bashing other people in this body and the Catholic faith because there's a tremendous amount of good people in the Catholic faith, including my family. Thank you. [LB46A]

SENATOR LINDSTROM: Thank you, Senator Kolterman. Senator Blood, you're now recognized. [LB46A]

SENATOR BLOOD: Thank you, Mr. President. Fellow senators, friends all, I stand opposed to MO62. And I just want to clarify at the very beginning of this debate, I verified that I did not support this bill because of my faith, but for other reasons that I've already discussed. But my esteemed colleague, Senator Chambers, likes to prod us, and he does an excellent job. But there are times sometimes when I sit there and it's hard for me to stay silent. And so now Senator Chambers, I'd like to school you. The Catholic Church is not anti-woman. The Catholic Church honors and celebrates Mary with special devotion. Holy scripture has stories of at least 137 women, matriarchs, heroines and saints. In fact, Queen Esther, of whom one of my grandchildren is named after, saved the Jews from massacre. Two of the three people at the foot of the cross when Jesus died were women--his mother Mary and Saint Mary Magdalene. Catholics are zealous in honoring women for their virtuous womanhood and declared at least 783 female saints from all walks of life: the poor, the disenfranchised, prostitutes, the list is long. What you may not know, especially when we talk about body shaming and female issues so much on this floor is that the Catholic Church is a strong defender of beauty and dignity of women. Holy women are an incarnation of the feminine ideal in our faith. The church, in fact, is esteemed as the Bride of Christ, a woman. And so I always tell people when I'm stopped on the street that I got the best seat in the house, because I appreciate what Senator Chambers says. And I am usually not offended by it in any fashion, because he has the right to say it, just like I have the right to stand here right now. And I know in many instances he is simply prodding us to get up and say something. And in this case I was prodded to the extent that it was time for me to speak up and say for clarification that my church is indeed not anti-woman, in fact, we are praised and we are glorified. And I think that's pretty awesome. Again, I stand against MO62. [LB46A]

SENATOR LINDSTROM: Thank you, Senator Blood. Senator Wishart, you're now recognized. [LB46A]

SENATOR WISHART: Thank you, Mr. President. I rise in opposition to MO62 to indefinitely postpone this legislation. While I have changed my support of LB46 and will no longer be supporting the bill, I do think that as a member of the Appropriations Committee we do need to support the appropriations that come along with the legislation that we choose to pass. So I hope

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the members that are voting in favor of LB46 will be supporting the Appropriations bill. I also wanted to speak...I didn't get a chance to speak on the confirmation hearing. And you know, this is one thing where we're going to need to spend a lot of time, and I plan on doing that, meeting with the Department of Health and Human Services and Dr. Williams to make sure that we are moving forward on putting in place rules and regulations that support everybody in our state. Throughout history there are many different people who have been marginalized. And the psychologists who are licensed in this state, they're sometimes the last place that somebody would go to seek help. And it concerns me that there would be people who would be turned away at their most vulnerable state. So I will be working diligently every week to make sure that we're moving forward on getting some of those changes and protections put in place. I think this is a good time, while we're speaking on LB46, to talk about the state of child welfare in our state. Our Appropriations Committee spent a late night last...I think it was last week or two weeks ago going through our child welfare system. And there are some very concerning aspects to our child welfare system; 22 cases last year of children who were either died or seriously injured in our system. That's on our watch. I would encourage all of the members of this body to read through the annual and quarterly reports from Foster Care Review Office. I would also encourage them to read through the reports by our Inspector General of Child Welfare. We are working hard as an Appropriations Committee to support the funding that is necessary to strengthen our child welfare system. And so I would hope that these...the members who...especially those who are voting in support of LB46 would also be in support of strengthening our foster...our foster care system and our child welfare system, and the additional dollars that will need to go into that system to do that. Thank you. [LB46A LB46]

SENATOR LINDSTROM: Thank you, Senator Wishart. Senator Chambers, you're recognized. [LB46A]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, is Senator Kolterman still in the house? If he is, I'd like to ask him a question or two. [LB46A]

SENATOR LINDSTROM: Senator Kolterman, would yield to a question? [LB46A]

SENATOR KOLTERMAN: Definitely, I will. [LB46A]

SENATOR CHAMBERS: Senator Kolterman, if I heard you correctly, you said that I'm a hypocrite. Did I hear you correctly? [LB46A]

SENATOR KOLTERMAN: Yes, sir, you are. [LB46A]

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SENATOR CHAMBERS: Give me an example so that you can improve my moral conduct and my education. [LB46A]

SENATOR KOLTERMAN: Well, my opinion, a hypocrite is someone that talks about pro-life, which we talked about during the death penalty; now, I know you're not pro-life when it comes to abortion; and then turns around and fights the abortion bills that...or supports the abortion. That's hypocritical in my opinion. [LB46A]

SENATOR CHAMBERS: In your opinion. [LB46A]

SENATOR KOLTERMAN: In my opinion only. [LB46A]

SENATOR CHAMBERS: So you think that my defending the right of a woman to determine whether she would carry a pregnancy to term and my opposition to the state killing makes me a hypocrite? [LB46A]

SENATOR KOLTERMAN: In my opinion, pro-life is pro-life. [LB46A]

SENATOR CHAMBERS: No, that's not what we're talking about. You joined two things together with reference to me. And... [LB46A]

SENATOR KOLTERMAN: Because I see them both together, Senator. I see them both together. [LB46A]

SENATOR CHAMBERS: Do you think that I'm hypocritical for saying the state should not take anybody's life? [LB46A]

SENATOR KOLTERMAN: No, I do not. [LB46A]

SENATOR CHAMBERS: Do you think I'm hypocritical for saying a woman should have the right to determine whether or not she would carry a pregnancy to term? [LB46A]

SENATOR KOLTERMAN: No, I do not. [LB46A]

SENATOR CHAMBERS: Then where am I a hypocrite? I speak for the right of the woman and I speak against the state killing. [LB46A]

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SENATOR KOLTERMAN: Through your votes. [LB46A]

SENATOR CHAMBERS: What votes? [LB46A]

SENATOR KOLTERMAN: That we have on occasion and...we're not going to win this battle in arguing about the issue. There isn't anybody in here that's not hypocritical in some ways. [LB46A]

SENATOR CHAMBERS: Well, speak for yourself. [LB46A]

SENATOR KOLTERMAN: All right. [LB46A]

SENATOR CHAMBERS: Don't see people as you are, but as they are. But that's all I'll ask you. [LB46A]

SENATOR KOLTERMAN: Thank you. [LB46A]

SENATOR CHAMBERS: Members of the Legislature, what Senator Kolterman said got himself in some deep stuff and it was silly. I'm the one who said abortion does not have rights. You don't hear me talking about abortion rights. I talk about women's right. And the Nebraska Legislature would like to take away the woman's right. And thankfully the U.S. Supreme Court, up to now, said you're not going to do that. And Nebraska's Legislature has passed laws that would take away that right. And I've stood against those alone. And one of the ones they chortled about the most, so-called late-term abortion, all of the other senators voted against it except me, and my position was vindicated. So when somebody stands up and calls me a hypocrite, he should know what he's talking about. And when somebody speaks in anger and ignorance, then he makes a fool out of himself as Senator Kolterman did this morning. Anybody can be anything they choose. If he listened to what I said, I acknowledge that individual Catholics can do whatever they want to, however they please. But when the church, and when other Catholic entities take action, then they are the ones that I go after. Senator Kolterman was not listening well this morning. So I'm going to ask him a question or two and maybe improve his education. If he will yield, Mr. President, I'd like to ask Senator Kolterman a question or two. [LB46A]

SENATOR LINDSTROM: Senator Kolterman, would you yield? [LB46A]

SENATOR KOLTERMAN: I will. [LB46A]

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SENATOR CHAMBERS: Senator Kolterman, did you hear during the discussion... [LB46A]

SENATOR LINDSTROM: One minute. [LB46A]

SENATOR CHAMBERS: ...several mentions of the Catholic Conference demanding that certain language be put into the rules, into the regulations governing the licensing of psychologists? Did you hear that discussion about the impact of the action by the Catholic Conference? [LB46A]

SENATOR KOLTERMAN: Yes, sir, I did listen to that. [LB46A]

SENATOR CHAMBERS: And did you hear where they demanded certain things and got their way, and because of that there have been no rules, no regulations adopted? [LB46A]

SENATOR KOLTERMAN: I heard that was demanded, but I would tell you that none of that came through our committee. And we've been talking about this morning...the letter that was sent until this morning. [LB46A]

SENATOR CHAMBERS: Do you deny that the Catholic Conference behaved in the way that was discussed this morning? Because maybe you think those people didn't tell the truth. [LB46A]

SENATOR KOLTERMAN: I haven't seen the information that was presented. [LB46A]

SENATOR CHAMBERS: Do you think it was correct? [LB46A]

SENATOR KOLTERMAN: I can't tell you without looking at it. [LB46A]

SENATOR LINDSTROM: Time, Senators. [LB46A]

SENATOR CHAMBERS: Thank you, Mr. President. [LB46A]

SENATOR LINDSTROM: Thank you, Senator Chambers and Senator Kolterman. Senator Chambers, you're next in the queue. [LB46A]

SENATOR CHAMBERS: Thank you. Do you believe that the Catholic Conference played the dominant role in keeping this state without licensing regulations for psychologists? Do you think

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that's true, that the Catholic Conference's position is why those regulations have not been adopted? [LB46A]

SENATOR KOLTERMAN: Without reading all the transcripts, I can't attest to that, sir. [LB46A]

SENATOR CHAMBERS: But you suspect that that's true, don't you? [LB46A]

SENATOR KOLTERMAN: It could be true. [LB46A]

SENATOR CHAMBERS: Thank you. Members, it is true. And Senator Kolterman knows it. But here's where if I were a Christian I wouldn't do this; I would hold your feet to the fire and be angry at you. But not being a Christian, I grant a person...not grant, I recognize that when people get angry, they say things that they would not say were they not angry. You spoke out of emotion. Sonny, I'm old enough to be your father. What kind of father would condemn and abuse or mistreat his child when the child simply behaved as a child? You're not the only one to speak out of anger. Others have done it before and will do it again because I'm going to talk about the things that the Catholic influence has wrought on the floor of this Legislature, and they will continue to do it. And you also heard me say, why should they not? When you can buffalo and bully people into doing what you want them to do, do it. If you find a sucker, bump his head. If you don't want the church and the conference condemned, let the church and the conference not take positions that merit condemnation. Anybody who thinks I'm a hypocrite, I welcome the discussion. I'm probably the most consistent person you will find in terms of adopting a principle and applying it to everybody, even my enemies, even my enemies, because I see a basic humanity in everybody. Who's the one who tell you all that everybody's our brother and sister? We have an obligation to look out for all of them--the last, the lost, and the least. You all don't talk about those things, because you're not free to take action in accord with those words. So I'm the one who will speak those words. And then my votes and my conduct on this floor will back it up. I've been on the floor battling on these kind of issues when Senator Kolterman was nowhere to be seen, because he had business elsewhere. Senator Kolterman, I've been on this floor every minute that we've been in session this session. Nobody else can say that. The hypocrite, the one you called a hypocrite is the one who's taken seriously the work that we're supposed to be doing as a legislative body. These little slings and arrows and darts that people throw toward me are meaningless. As I state, and have stated, they have as much impact on me as the sweat of a gnat would have on the Rock of Gibraltar. There is work that we need to do, and however angry you may get, however much your feelings may be hurt, there is a job we as a Legislature should do. And the first thing we ought to be doing is looking after the welfare of the people in this state, not trying to placate the Governor or the Republican Party or Donald Trump while you were talking about confirming some people's appointment to some commission that looks into rural

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health. If you read the newspapers, what Donald Trump and his people want to do with medical care is going to hit the rural areas. [LB46A]

SENATOR LINDSTROM: One minute. [LB46A]

SENATOR CHAMBERS: His trade programs are going to hit Nebraska, and you all follow Donald Trump still because you're blinded by your political label. And I look at the people who are hurt. I should be happy to see white rural people punished because they're the ones who got term limits and have done other things that would give me grief if I were as weak as white Christians. But I know what's in them. Water cannot rise above its level. And as long as I'm in this Legislature, whoever has a problem and is being mistreated is entitled to come to me and seek my help. And if I can give it, they'll get it without begging me. And they can start as they always do by saying, Senator Chambers, I don't agree with everything you say and do. I say, look, I don't even want to hear that, but let me give you some advice. When you're coming to somebody for help, don't talk about how much you disagree. [LB46A]

SENATOR LINDSTROM: Time, Senator. [LB46A]

SENATOR CHAMBERS: You said time? [LB46A]

SENATOR LINDSTROM: Time, Senator. [LB46A]

SENATOR CHAMBERS: Thank you. [LB46A]

SENATOR LINDSTROM: Thank you, Senator Chambers. Senator Krist, you are now recognized. [LB46A]

SENATOR KRIST: Thank you, Mr. President; and again, good morning colleagues, good morning Nebraska. On the issue at hand, I will not vote on the motion, MO62...not voting. And I will vote again against LB46 for all the reasons that I have said previously on the mike, most of which are connected with my objection to political speak on a license plate itself. I still believe that you can have any message on any plate you want to convey, but that when the state puts that message on a state license plate, that's going too far in terms of the political speak. And I'd also remind this body that a group of citizens, I think the number is 250, can petition to have this plate made on their own if they wish. And I know I think we're...we have...and Senator Pansing Brooks, I think, put it very well, when we look back on this year and say we wasted 30 days on rules, we can also say was it really necessary that we spend a week...a week of our debate time, minimum, on LB46? But that's a decision that the majority, as I was reminded in committee the

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other day, have made. So when we look back on what we did and did not accomplish, these should be two of the things that we take into stock when we evaluate how this session went. And I would invite each of you to, in your years, I missed my first year, but I was recommended by a colleague to go back and do a whitewash, do an overview of what we were able to achieve--we individually and we as a legislative body--during those years. And I think it's fun when you look back on it, from my standpoint now, because I think there were two years that I wish I could bring back and do differently; and there's a couple years that I'm pretty proud of; and the other ones I'm kind of lukewarm. But that's a pretty good track record to look back on. As far as the Catholic and Catholic Conference is concerned, Senator Chambers and I have had many conversations, both on and off the mike about how we both differ in opinion on some of the things in the Catholic Conference. And to the point, with our discussion this morning, I believe the Catholic Conference is and continues to be one of the stumbling blocks to put a rules process out there for psychologists and psychiatrists, and I'm personally going to be involved, as I've told both CEO Phillips; our new Medical Officer for the state of Nebraska, Dr. Williams; and Tom Vincent, who is the lobbyist for Catholic Conference; I want to sit down at the table and find that everybody understands common definitions and a common purpose so that we get this done. Ten years is too long to have debated this issue. So to your point, Senator Chambers, it has been the Catholic Conference predominantly; some other religious organizations, but the Catholic Conference, predominantly, that has stood in the way of some of this happening. Being a Catholic and having a relationship...a professional relationship with Bishop Lucas, I can assure you we are not without guilt, obviously through history, and I've made that point on the mike as well. But moving forward, we need to make sure that everyone is on board, because this is a critical need of our state, and we have seen that through our Corrections process. With that I'd yield the balance of my time to Senator Chambers if he should choose. [LB46A LB46]

SENATOR LINDSTROM: Senator Chambers, you're yielded 1:23. [LB46A]

SENATOR CHAMBERS: Thank you, Mr. President; thank you, Senator Krist. If people like Senator Kolterman, who are basically good people, but highly emotional, would pay attention to when I talk and what I say and what I'm trying to get the Legislature to do, I'm trying to get the Legislature to do what it ought to do. [LB46A]

SENATOR LINDSTROM: One minute. [LB46A]

SENATOR CHAMBERS: I can't come back there and grab you by your ears and shake your head to try to make your brains work. All I can use are words. But instead of the words being understood, your emotions and other people's emotions are stirred up. But there are people outside this Chamber who know that I'm talking to them and they know what they maybe ought to do, because they know that I'm not like everybody else on this floor. They will have other

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opportunities to come before this Legislature and need me, or need me not to say no. You all don't recognize the power that the Legislature has to make sure that things are done with reference to policy the way they should. Who has been degraded, Senator Kolterman, by there not being the adoption of these regulations? [LB46A]

SENATOR LINDSTROM: Time, Senator. [LB46A]

SENATOR CHAMBERS: Thank you, Mr. President. [LB46A]

SENATOR LINDSTROM: (Visitors introduced.) Senator Chambers, you're welcome to close on your motion. [LB46A]

SENATOR CHAMBERS: Thank you, Mr. President. Senator Kolterman, no governor would show contempt for this Legislature if we all stood up and the Governor knew we were going to stand up and call him or her to account if the policies the Legislature put in place were not carried out. They can disregard the Legislature because the Legislature allows it. During slavery times, the slogan, the mantra was the slave most easily whipped is most often whipped. Why do you think people don't jump on me like they jump on other people? Does that mean I'll always win? No. But in the process of losing, I'm going to inflict some damage. Trainers of fighters sometimes have to mislead them to keep them fighting. So this one guy was stumbling back to his stool when the bell rang and he sat on the stool, and his trainer sponged off his face, gave him some water, spit in the bucket. He said keep going, keep going, he hasn't laid a glove on you. And this guy got knots and bruises on his face, his nose is bleeding. And so the fighter told the trainer, keep your eye on the referee then, because somebody is beating the you know what out of me. So when the Legislature allows itself to be walked on, the Legislature is going to be walked on all of these years. And Senator Kolterman is not upset about that. He's upset about me talking about the Catholic history; bloody, and vicious as it is. He's upset about me bringing up what the Catholic Conference has done. The Lutherans didn't do it. You know, the worst thing that Lutherans...I'd like to ask Senator Kolterman a question. [LB46A]

SENATOR LINDSTROM: Senator Kolterman, would you yield to a question? [LB46A]

SENATOR KOLTERMAN: Sure. [LB46A]

SENATOR CHAMBERS: Senator Kolterman, have you heard of an ex-Catholic who was called Martin Luther? [LB46A]

SENATOR KOLTERMAN: Absolutely, I have. [LB46A]

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SENATOR CHAMBERS: Had he been a Catholic? [LB46A]

SENATOR KOLTERMAN: Yes, he was. [LB46A]

SENATOR CHAMBERS: If he had stayed a Catholic, would you be a Lutheran today? [LB46A]

SENATOR KOLTERMAN: Probably not. [LB46A]

SENATOR CHAMBERS: Not probably. The worst thing that Luther did was to hammer some...nail some pieces of paper on a door. Isn't that right? [LB46A]

SENATOR KOLTERMAN: You are absolutely correct; 500 years ago. [LB46A]

SENATOR CHAMBERS: And I watched him do it. I said go, go. (Laughter) [LB46A]

SENATOR KOLTERMAN: I believe that, Senator. [LB46A]

SENATOR CHAMBERS: Okay. So you know that I'm not making things up. Sometimes you have to use words of a kind that may not be pleasant to speak to try to stir people's mind into thinking. I cannot take the power from this Legislature to do what it has the power to do...have little meetings under the balcony, meetings in offices. And who even cares? Because when you come back up here, there's somebody off this floor who's going to call the shots and pull the strings. On this license plate, there are people out of this...outside this Legislature calling the shots. If Senator Watermeier was as...I don't even know if he's a Catholic, but whatever church he belongs to, if he was as faithful in that church as he is to doing these license plates, he could go to heaven without dying. You don't see any of these people reflecting the kind of conduct that makes people say, wow, such compassion. What makes him that compassionate? I'm going to talk to him and see how under the pressure that he lives he can behave in that manner. No. Or she. [LB46A]

SENATOR LINDSTROM: One minute. [LB46A]

SENATOR CHAMBERS: All of this praying, no action. Jesus was the one who said why call me...why call you me Lord, Lord, and do not the things that I say? I don't tell you you ought to do anything as a Christian, which Jesus didn't tell you to do. But I would call you to a higher standard even than Jesus, because I'm right here with you every day and I can keep prodding you. Not based on what I say you ought to do, but based on what you all say you believe. These

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preachers who get up there, he talked this morning about the only true god. That's the only thing that stuck out in his prayer to me. How can he insult everybody else? A Muslim would say there is no god but Allah and Mohammed is his prophet. So that preacher was saying... [LB46A]

SENATOR LINDSTROM: Time, Senator. [LB46A]

SENATOR CHAMBERS: Oh, okay. [LB46A]

SENATOR LINDSTROM: The question is shall the motion to indefinitely postpone LB46A be adopted? [LB46A]

SENATOR CHAMBERS: ...call, and a roll call vote. [LB46A]

SENATOR LINDSTROM: There's been a request to place the house under call. The question is shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk. [LB46A]

ASSISTANT CLERK: 27 ayes, 3 nays to go under call, Mr. President. [LB46A]

SENATOR LINDSTROM: 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. Senator Bostelman, please check in. Senator Bolz, the house is under call, please return to the Chamber. There's been a request for roll call vote in regular order. Mr. Clerk. [LB46A]

ASSISTANT CLERK: (Roll call vote taken, Legislative Journal page 757.) The vote is 0 ayes, 33 nays, Mr. President. [LB46A]

SENATOR LINDSTROM: The motion fails. Raise the call. [LB46A]

ASSISTANT CLERK: Mr. President, I have a priority motion, Senator Chambers would move to reconsider the vote just taken. [LB46A]

SENATOR LINDSTROM: Senator Chambers, you're recognized to open on your reconsider motion. [LB46A]

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SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, by the time I finish my opening, a cloture motion will be in order. I'm going to come back to what the issue is. I heard Senator "Wise Heart" (Wishart) say that because she's with the Appropriations Committee she'll vote for this A bill. I've said that on some bills in the past, but it would not be on a bill that I opposed, because if I'm going to fund that which I oppose, I really don't oppose it. My actions speak louder than my words. This bill should stay right where it is. There should not be 33 votes to cut off debate, but I know that there are people who have their motives, their reasons for what it is they're doing. And that's the way things are done in the Legislature. But I'm going to be consistent when it comes to these matters of religion being injected into the formal and official actions of this Legislature and the activities of the state, the political activities. And when a religious appeal can be made and the Legislature accept it to allow discrimination against citizens, that is a satanic religion based on what Satan is accused of having been. And when I view his accusers, I begin to think that he's probably getting a bum rap. If these people who comprise the Catholic Conference, these are people with official positions in the Catholic Church. If, as a tenant of their religion, they want the right, as they call it, to discriminate against people, then don't seek from the state a license. Don't seek a license and just be somebody who gives advice to people. You don't need to be licensed to be a church counselor or to have some little outfit where people come and get advice from you. Then you can proselytize and teach your religion all that you please. But when you want to say that you should be entitled to hold this license, that indicates that you are there to serve people based on the standards established by the state, but you're not going to do it, you are the hypocrite. But these Catholics in the Conference go beyond that. They want to dictate, they want to control, and it has nothing to do with religion in the sense of ethics and moral conduct. When you deal with individuals, they want their religion to be a relationship between them and whatever or whoever they worship. But these organized religions, the organizers and the ones who run them are just like the people who run and operate the rackets. They have a hierarchy, they have responsibilities that are farmed out to people. They break up a territory into little segments, and they give people titles that indicate the rank they hold in that hierarchy. That's the way these religious organizations are; just like the rackets. They use strong-arm bullying tactics to whip people into line. The ordinary lay person is somebody in terms of what he or she believes, as long as it doesn't make them hurt anybody. I couldn't have less interest in that. Whatever makes their boat float, good for them. I just hope that along the way there's something in there that says treat people the way you want to be treated. Help the ones who cannot help themselves. Give some food to the hungry; shelter to the homeless. Minister to those who are sick or friendless. In other words, once again--the last, the lost, and the least who are not on anybody's list of invitees when they're going to put on some function that on the street is called walking the dog. The people who need the help of the Legislature and are entitled to look for it are the ones least likely to receive it. So, this license plate is one of those instances where a group wants to show its muscle by getting the state to put its imprimatur on an officially issued state license plate, taking a religious position that this entity wants to have taken. A lot of people don't even know what a Lutheran is, and Senator

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Kolterman mentioned them. He mentioned Presbyterians. Some people probably think those are people who perspire a lot, because they're very active in their religion, and because they perspire due to their great devotion, they're called Presbyterians. Episcopalians, some people think those are religious people who believe in gun rights. And they pronounce it e-pistle-palians (phonetic), those who worship the gun. So they're e-pistle-palians, they're Presbyterians, and there are Lutherans. And people who are not of those persuasions have no idea what any of them believe. But everybody knows about the Jehovah's Witnesses, because they're the ones who disturb your peace in the morning and give you little tracts and want to be overbearing, but that's their religion. But that doesn't mean they're entitled to do everything that they want to do based on their belief. This license plate is not going to redound to the benefit of what the state is supposed to be about. The state is supposed to be concerned about all members who comprise the population of that state. And when things like this are done, some are being favored, others not only disfavored, but condemned. If a woman wants to have an abortion, this license plate is a condemnation. Everybody knows that. These people who have murdered doctors who perform abortions; and harmed, and in some cases killed women who work in these clinics are generally found to be incompetent and they don't have to stand trial. But they're really terrorists. If their name was Muhammed, Hasan, then you know that they're going to be found competent so that they can be punished severely. But when it's a radical white Christian, then that's not going to happen. And you all know it just like I know it. So what Nebraska ought not to do is issue this license plate. What we as a Legislature should do is to not let it move forward. But if you do, then you are choosing... [LB46A]

SPEAKER SCHEER PRESIDING

SPEAKER SCHEER: One minute. [LB46A]

SENATOR CHAMBERS: ...to set in motion whatever is set in motion by that kind of action. I could not throw a stone into a calm mirror-like pool of water and be shocked that there are ripples that work their way outward from the point where the stone broke the surface. There are consequences, just as there are ripples in the water when a stone is dropped into it. So you can and will do whatever you want to do, but mark well what you do. And don't get upset when that which is predictable comes to pass. Mr. President, I withdraw my motion. [LB46A]

SPEAKER SCHEER: Without objection, so ordered. Mr. Clerk, you have a motion on the desk. [LB46A]

ASSISTANT CLERK: Mr. President, I do. Priority motion, Senator Watermeier would move to invoke cloture pursuant to Rule 7, Section 10. [LB46A]

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SPEAKER SCHEER: Senator Watermeier, for what purpose do you rise? [LB46A]

SENATOR WATERMEIER: Mr. President, I'd like to ask for a call of the house, please.
[LB46A]

SPEAKER 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 vote aye; all those opposed vote nay. Please record.
[LB46A]

ASSISTANT CLERK: 33 ayes, 1 nay to go under call. [LB46A]

SPEAKER SCHEER: The house is under call. Senators, please record your presence. All 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. Senator Bolz, Kuehn, Geist, Craighead, the house is under call. Senator Kuehn, Senator Bolz, the house is under call, please return to the floor. Senator Bolz, the house is under call, please return to the floor. One last time for Senator Bolz, the house is under call, would you please return to the Chamber. It is the ruling of the Chair that there has been full and fair debate afforded to LB46A. All members are present. Members, the first vote is the motion to invoke cloture. All those in favor vote aye; all those opposed vote nay. This motion will need 33 affirmative votes. Please vote. Have all voted that wish to? Request for record vote. Mr. Clerk. [LB46A]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 758.) The vote is 36 ayes, 1 nay, Mr. President. [LB46A]

SPEAKER SCHEER: Motion to invoke cloture is adopted. The question before the body is the adoption of LB46A. All those in favor vote aye; all those opposed vote nay. Have all wished to vote...voted? Record, Mr. Clerk. [LB46A]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 758-759.) The vote is 35 ayes, 3 nays on the motion to advance, Mr. President. [LB46A]

SPEAKER SCHEER: LB46A is moved to the E&R for engrossment. Raise the call. Any announcements, Mr. Clerk? [LB46A]

ASSISTANT CLERK: Thank you, Mr. President, I do. Your Committee on Judiciary reports LB558, LB666, LB192, LB307, LB556, and LB622 all to General File. Amendments to be printed from Senator Hilgers to LB257. Name adds: Senator Hilkemann to LB576; Senator

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Clements to LR6. (Also, LB622 placed on Final Reading. Legislative Journal pages 759-768.)
[LB558 LB666 LB192 LB307 LB556 LB622 LB257 LB576 LB622 LR6]

And finally, Mr. President, a priority motion. Senator Brasch would move to adjourn until Tuesday, March 21, at 9:00 a.m.

SPEAKER SCHEER: You've all heard the motion to adjourn. All those in favor say aye. All those opposed say nay. Once again the ayes have it. We are adjourned.