

October 2007

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Lincoln citizen pushes for Safe Haven at city level

Lincoln citizen Deanna Weeks took matters into her own hands out of frustration with the Legislature. After researching the Safe Haven for Babies issue and finding that Nebraska is one of only two states (the other is Alaska) that does not have a Safe Haven law in place, Deanna asked the Lincoln City Council to pass a local ordinance addressing the issue.

Safe Haven for Babies laws allow the leaving of a newborn infant in the care of a hospital or other emergency responder (fire or police department) for a designated time period after the baby's birth. The person leaving the infant is immune from being criminally prosecuted for abandonment.

The Nebraska Legislature has seen several Safe Haven bills introduced during the years. LB 6 introduced by Sen. Rich Pahls and LB 157 introduced by Sen. Arnie Stuthman were two such bills heard by the Legislature's Judiciary Committee this past January. LB 157 was prioritized by Senator Stuthman and made it to first round floor debate where it was stymied by a filibuster led by Sen. Ernie Chambers. Sen. Stuthman's bill provides that an infant up to 72 hours old may be left in the care of a hospital or emergency provider.

Two recent cases, one in Omaha and one in Lincoln, point to the need for a uniform state law regarding baby aban-

donment. In Omaha, a young mom delivered her baby at home and left the baby in a hospital restroom. That mother was not charged with a crime. In Lincoln, a young mom had her baby in a hospital and left the hospital without the baby and was charged with a crime. In another case in Omaha, a baby was left in a dumpster and found dead. Those kinds of stories are what drove Deanna Weeks to approach the Lincoln

City Council with an ordinance in early September. After being advised by the city attorney that the city could not negate the state's right to prosecute in such matters when no Safe Haven law is yet in place, the Lincoln City Council adopted a different approach.

Councilwoman Robin Eschliman introduced a resolution which had the support of Mayor Chris Beutler and the fire and police departments. The resolution, passed Oct. 8, urges the legislature to act on this issue and pass a Safe Haven law. Councilwoman Eschliman and Mayor Beutler held a press conference to show their support for the resolution. City fire and police department officials spoke of how they handle emergency situations now while a state Safe Haven law is not yet in



Safe Haven promoter Deanna Weeks, left, with Lincoln City Councilwoman Robin Eschliman following a press conference for the resolution.



State Senator Arnie Stuthman is the sponsor of LB157.

place. Weeks attended the press conference and showed her good command of the issue by answering questions by the media. Since then, Omaha City Councilman Chuck Sigerson has contacted Weeks and will introduce a similar resolution in Omaha.

Weeks' goal is to push for passage of LB 157 in the 2008 session. Nebraska Right to Life has supported previous Safe Haven legislation and is working with Weeks and Sen. Stuthman's office in hopes that Nebraska can finally leave the category of being one of the last states to pass Safe Haven legislation. Weeks' actions have complimented the dedication provided by Sen. Stuthman to see this bill pass. Her involvement has been a catalyst to bring other pro-life groups to work towards the same goal.

Passing pro-life legislation depends on priority designation by senator

In the Nebraska Legislature, the majority of the 49 state senators identify themselves as pro-life. The vast majority of those senators have been vetted during the election process, filled out the NRL PAC survey and have been endorsed as pro-life. Those who are incumbents may have a history of voting pro-life when pro-life legislation does find its way to floor debate. Why then, do pro-life bills languish in the Judiciary or Health Committees or succumb to a filibuster if they make it to floor debate?

In the Nebraska Legislature it takes 25 votes to pass a bill. But pro-life legislation is automatically held to a higher standard due to the incessant filibustering of one senator who will do anything to stop pro-life bills. That standard that must be reached is a cloture vote, which requires 33 members of the body, rather than 25. Invoking cloture during a filibuster on any of the three stages of debate assures that the bill will advance to a final, up or down vote on the merits of the bill itself. Getting to the point that a pro-life bill even makes it out of committee and to the floor for debate usually hinges on another tool...that of a senator designating that pro-life bill as his or her "priority bill" for that session. Here is what the Legislative Rule Book says about the priority bill process:

"Each senator is permitted to select one bill as his or her personal priority bill for the session. Each committee may select two of the bills referenced to it as committee priority bills for the session. The speaker is also allowed to select up to 25 additional bills as speaker priority bills. Priority bills must be selected prior to the 45th legislative day during a 90-day session and prior to the 30th legislative day during a 60-day session."

In other words, senator-selected priority bills are automatically guaranteed to see some floor debate and possible passage that year. If a bill, such as LB 700, the Human Cloning Ban, does not get picked as a priority bill by a senator for the 2008 session, that bill is as good as dead. Senators put a good deal of consideration into what legislation they want as their priority bill for the year. Sometimes, the bill directly impacts a senator's district. Sometimes, one senator does a favor for another senator by picking up a bill that they are not the main sponsor of but they still have a strong interest in. Usually anything that is remotely controversial or could be targeted for a filibuster is a candidate for priority status. Sometimes bills are selected as priorities that don't appear to be that controversial and easily pass each stage of debate. When that happens, legislative observers begin to wonder why a senator used his or her priority on a bill which didn't appear to need the special designation to pass. Senator-selected priority bills are higher on the pecking order than are Speaker or Committee-selected priority bills. However, the Speaker of the Legislature sets the daily agenda and has great latitude in shuffling around Speaker and Committee priority bills into higher order when Senator priority bill debate gets bogged down.

So the ideal outcome for any pro-life bill is that it get selected as a Senator priority bill. Often, as seen in the list that follows of 2007 session priority bills, the senator who introduced the bill is the same senator who prioritizes the bill. And sometimes, it isn't the same senator. In any event, to achieve the goal of passing LB 700, the Human Cloning Ban, or LB 157, the Safe Haven for Babies Act, two



senators will need to select those bills as their priorities.

To Senator Arnie Stuthman's credit, he selected LB 157 as his priority bill this year and it got ensnared in a filibuster during the first stage of floor debate. He is to be commended for putting up the good fight and it is our hope that he will again select LB 157 as his priority for 2008. But he doesn't have to

continue the same bill as his priority, even though LB 157 is still technically on the floor and awaiting more debate.

LB 700 will be the subject of an Interim Committee Hearing on Nov. 9. At that time, more testimony will be taken from both sides on the issue. The Judiciary Committee may then pass the bill on to the floor, kill the bill or amend it into some other form and pass it to the floor. But to ensure any floor debate on a bill that might come out of Committee, LB 700 needs to be prioritized. Senator Mark Christensen is the main sponsor of LB 700. In 2007, he selected a bill that was key to his district and that bill passed.

We can encourage both Senator Stuthman and Senator Christensen to select LB 157 (again in Sen. Stuthman's case) and LB 700 (first time in Senator Christensen's case) as their priority bills for the 2008 session. However, the burden for carrying pro-life legislation to the floor doesn't always need to fall on the introducer of such legislation so it's a good idea to let your senator (if he/she is pro-life) know that you would like to see him/her consider either LB 157 or LB 700 as their priority bill too.

The chart on Page 3 lists mainly senators who are known to vote pro-life or have voted pro-life in the past. These senators are the most likely to draw from as prioritizers of pro-life legislation. Most priority decisions are not made until after the session starts the first part of January but according to the rules, in a short 60 day session, priority designations must be made within the first 30 days of the session. It is perfectly acceptable to start contacting your senator now and ask what they are thinking of in terms of a priority and if they will consider taking a pro-life bill.

If you do not know who your senator is, call your County Clerk or Election Commissioner and give them your address. Or call the NRL office at (402) 438-4802 or view the maps on the Unicameral Web site at www.leg.ne.gov E-mail addresses and office phone numbers for all senators are listed on the Unicam web site. The usual format to e-mail a senator is the following: use their first initial and full last name@leg.ne.gov (i.e. mchristensen@leg.ne.gov).

2007 priority bills

DIST.	SENATOR	PRIORITY BILL SELECTED	BILL INTRODUCER	DESCRIPTION	STATUS
33	Burling	LB 218	Burling	Change provisions relating to the acquisition of certain drug products	Passed
38	Carlson	LB 458	Carlson	Require vegetation management in certain streams	Killed
44	Christensen	LB 701	Christensen	Adopt a river basin administration committee	Passed
45	Cornett	LB 456	White	Provide an income tax credit for shareholders of subchapter S financial institutions	Passed
40	Dierks	LB 629	Dierks	Adopt the Rural Community-Based Energy Development Act	Passed
34	Dubas	LB 461	Dubas	Provide rights for foster parents	On floor, 2nd stage debate
17	Engel	LB 342	Raikes	Provide adjustments to base-year operating revenue for community colleges	Passed
47	Erdman	LB 368	Erdman	Adopt the Nebraska Limited Cooperative Association Act	Passed
43	Fischer	LB 677	Dubas	Change late fees under the Livestock Waste Management Act	Passed
19	Flood	LB 658	Raikes	Change provisions relating to Class I and Class VI school districts	Passed, Vetoed, Killed
10	Friend	LB 316	Friend	Create the Special Education Services Task Force	Passed
29	Fulton	LB 198	Schimek	Change requirements for campaign messages	Passed, Vetoed, killed
14	Gay	LB 338	Gay	Change income tax deductions for the Nebraska educational savings plan trust	Passed
42	Hansen	LB 457	Hansen	Change provisions governing court review of foster care placement	Passed
48	Harms	LB 415	Harms	Change provisions relating to provisional operator's permits and other operator's licenses and permits	Passed, Vetoed, Overridden, In Law
1	Heidemann	LB 636	Heidemann	Exempt certain public power district contracts from sealed bidding requirements	Passed
21	Hudkins	LB 663	Hudkins	Change distribution and allocation of motor vehicle registration fees	Bracketed
3	Kopplin	LB 596	Kopplin	Change retirement benefits and annuity payments for school employees	Passed
23	Langemeier	LB 343	Langemeier	Provide an income tax credit for investments in biodiesel facilities	Passed
12	Lathrop	LB 674	Lathrop	Prohibit use of social security numbers by employers as prescribed and provide a penalty	Passed
49	Louden	LB 570	Louden	Provide for Gold Star license plates	Passed
41	McDonald	LB 143	McDonald	Prohibit government officials from requiring a polygraph examination of a victim of a sex offense	Passed
6	Nelson	LB 236	Nelson	Provide requirements for in-home personal care services workers	Passed
31	Pahls	LB 482	Pahls	Provide for the coverage of autism services under the Medical Assistance Act.	Passed
2	Pankonin	LB 425	Pankonin	Create the Nebraska Operational Assistance Act	Passed
39	Pedersen	LB 405	Pedersen	Provide for additional city council members for cities of the metropolitan class	Bracketed
4	Pirsch	LB 142	Friend	Change provisions relating to intimidation through the use of communication devices	Passed
5	Preister	LR 1CA	Preister	Constitutional amendment to change legislative salaries	Passed
22	Stuthman	LB 157	Stuthman	Safe Haven Act: provide for leaving an infant with a firefighter or hospital staff member	On floor, 1st stage of debate
7	Synowiecki	LB 542	Synowiecki	Appropriate funds to the Dept. of Health & Human Services	Passed
30	Wallman	LB 488	Wallmann	Authorize an income tax credit for perpetual conservation easement donations	Laid over
36	Wightman	LB 502	Mines	Change inheritance tax rates	Passed

Sen. Nelson upholds word on Mexico City Policy prohibiting funding for overseas pro-abortion organizations

During the 2006 Senate election, dissension was expressed by some pro-lifers for Nebraska Right to Life's sole endorsement of Senator Ben Nelson. The dissent arose largely due to Senator Nelson having voted previously against the Mexico City policy, which prohibits taxpayer funding of pro-abortion organizations overseas. Senator Nelson said in 2006 that he would no longer vote against the Mexico City policy and made good on his word on Sept. 6. Senator Nelson voted along with Senator Chuck Hagel three times in support of upholding the Mexico City policy and against funding of the United Nations Population Fund (UNFPA) because of its participation in China's coercive population control policy.



Sen. Ben Nelson

There were three abortion-related votes Sept. 6 on the State-Foreign Operations appropriations bill (H.R. 2764). The first was a vote on an amendment by Senator Sam Brownback to restore the Kemp-Kasten law which prohibits funding of any organization that "supports or participates in the management of a program of coercive abortion or involuntary sterilization." The Kemp-Kasten law has been law for more than

Sen. Nelson votes with Sen. Hagel three times on 9/6/07 to uphold Mexico City and prohibit funding for UNFPA

20 years, and has been the basis for the denial of funding to the United Nations Population Fund (UNFPA) because of its participation in China's coercive population control policy, that includes coercive abortions. The Brownback amendment passed 48-45, with both Senators Ben Nelson and Chuck Hagel voting for it.

The second was a vote on an amendment by Senator Barbara Boxer to repeal the "Mexico City Policy," which prohibits U.S. "population assistance" grants from going to private overseas organizations that "perform or actively promote abortion as a method of family planning." The Boxer amendment passed by a vote of 53-41, with both Senators Ben Nelson and Chuck Hagel voting against it.

The third vote was on an additional Brownback amendment to strike language from the underlying bill that would gut the "Mexico City Policy" by allowing in-kind grants to abortion-promoting organizations. The Brownback amendment failed by a vote of 41-53, with both

Senators Ben Nelson and Chuck Hagel voting for it.

Both of Nebraska's senators should be commended for their votes. They can be contacted by sending an e-mail through their web sites at : www.hagel.senate.gov and www.bennelson.senate.gov

The Mexico City Policy is currently in place. President Bush reinstated the Mexico City Policy by Executive Order in 2001, when he came into office. The Boxer amendment was attached to the State-Foreign Operations appropriations bill (H.R. 2764). This bill still needs to go to conference, and then be sent to the President. The Bush Administration has issued a Statement of Administration Policy saying that "if the President were presented a bill such as H.R. 2764 that weakens current Federal policies and laws on abortion, he would veto the bill." It also said "Specifically, the Administration strongly opposes section 622 of the bill, which permits contracts and grants for organizations regardless of whether they perform or actively promote abortion as a method of family planning and is contrary to the Administration's Mexico City policy."



Sen. Chuck Hagel



Meeting in Fremont

Fremont Area Right to Life & Lutherans for Life members at an October meeting.

Nebraska Right to Life: 32 years at the state fair

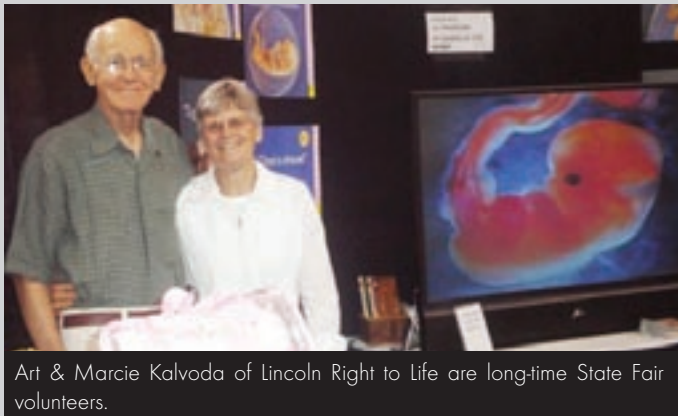
This year's booth featured a big-screen TV playing fetal development DVD's. 80 volunteers from chapters in Lincoln, David City, Hastings and Seward and Knights of Columbus members manned the booth over the ten day Fair.



Volunteers man the Nebraska Right to Life booth at the 2007 Nebraska State Fair.



Marcia Reining of South Central NE Right to Life (Hastings area) Shows fetal models.



Art & Marcie Kalvoda of Lincoln Right to Life are long-time State Fair volunteers.



Mark Masur of Butler County Right to Life and his wife, Jeanie, manned the booth during a Sunday shift.



Genocide of abortion on display

University of Nebraska - Lincoln students view the Genocide Awareness project, displayed Sept. 25-26 by the Center for Bio-Ethical Reform. The outdoor display featured a series of photo murals comparing abortion to incidents of genocide, including the Holocaust and slavery. The Center has staged the display at more than 80 college campuses.

NEBRASKA WALK FOR LIFE

Saturday, January 26, 2008
10 a.m., State Capitol to
UNL Student Union

**Featured speaker will be
David Ring, author of
“I’ve Got Cerebral Palsy,
What’s Your Problem?”**

David was born with cerebral palsy. Orphaned at age 14, he was cast about from family to family with nowhere to call home. He endured constant pain, humiliating public ridicule and constant discouragement. Yet

in the face of these seemingly insurmountable obstacles, David emerged not victimized, but victorious! Through his relationship with Jesus

Christ, David learned self respect and an acceptance of his physical challenges.

An internationally-known speaker, David shares his story with more than 100,000 people each year.



Nebraska Right to Life

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In the next issue: Planned Parenthood Malpractice Lawsuit

Lincoln Right to Life members attend Christian Leaders luncheon



Lincolnites Bob Vitols, Denise Ashby, Sandy Danek and Christina St. Hilaré met Scott Klusendorf of Life Training Institute, center, at a Christian Leaders luncheon held in September.



Brown competes at national convention

Nebraska Right to Life's Oratory Contest Winner Laura Brown of Nehawka with her mother, Joan, and siblings at the National Right to Life Convention in June where she competed.