

**ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013**  
**COMMITTEE STATEMENT**  
**LB385**

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**Hearing Date:** Thursday March 14, 2013  
**Committee On:** Judiciary  
**Introducer:** Nordquist  
**One Liner:** Prohibit certain bases for discrimination relating to child placement

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

<b>Aye:</b>	5	Senators Ashford, Davis, Lathrop, McGill, Seiler
<b>Nay:</b>	1	Senator Christensen
<b>Absent:</b>	2	Senators Chambers, Coash
<b>Present Not Voting:</b>		

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**Proponents:**

SEN. JEREMY NORDQUIST  
AMY MILLER  
TAMI LEWIS-AHRENDT  
KIM HAWEKOTTE  
PAMELA ALLEN  
JAMES BOWERS  
SARAH FORREST  
CARRIE GARRISON

**Representing:**

INTRODUCER  
ACLU NEBRASKA  
SELF  
FCRO  
NFAPA  
NASW  
VOICES FOR CHILDREN  
SELF

**Opponents:**

MARTHA ROSS  
RAPLH BODIE  
LOUIS SAFRANEK  
AL RISKOWSKI  
DAVE BYDALEK  
KYLE GOMEZ  
PAUL MALCOMSON  
NANCY RUSSELL

**Representing:**

SELF  
SELF  
SELF  
NE FAMILY COUNCIL  
FAMILY FIRST  
SELF  
LIGHT OF THE WORLD GOSPEL MINISTRIES  
SELF

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

Legislative Bill 385 would prohibit the Department of Health and Human Services from discriminating on the basis of race, color, religion, sex, sexual orientation, gender identity, disability, marital status or national origin when making decisions on the placement of juveniles and children and the licensing foster families. Placement and licensing decisions must be made based upon the health, safety and well-being of the child, with consideration of the requirements of the federal Fostering Connections to Success and Increasing Adoptions Act of 2008, the federal Howard M. Metzenbaum MultiEthnic Placement Act of 1994 and the Nebraska Indian Child Welfare Act.

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**Explanation of amendments:**

Committee Amendment AM 1539 would replace the original bill. A new section would be created to prohibit the Department of Health and Human Services or a child-placing agency from discriminating on the basis of race, color, religion, sex, sexual orientation, gender identity, disability, marital status or national origin when determining the suitability of kinship home or relative home foster care placement for a juvenile. Section 79-1902 would also be amended to prohibit discrimination by the department when issuing a license, waiver, variance or approval of a kinship home or relative home.

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Brad Ashford, Chairperson