

ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015
COMMITTEE STATEMENT
LB47

Hearing Date: Monday January 26, 2015
Committee On: Transportation and Telecommunications
Introducer: Watermeier
One Liner: Change provisions relating to anatomical gifts under the Motor Vehicle Operator's License Act

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

Vote Results:

Aye: 8 Senators Smith, Seiler, Murante, McCoy, Garrett, Friesen, Davis, Brasch
Nay:
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:

Senator Dan Watermeier
Kyle Herber
Ellen Grady
Christi Kjar
Doug Bremers
Spencer Limbach
Walt Radcliffe

Representing:

Introducer
Nebraska Organ Recovery System
Nebraska Kidney Association
Lions Eye Bank of Nebraska
Nebraska Medical Center
Self
Nebraska Organ Recovery System

Opponents:

Rhonda Lahm

Representing:

Nebraska Department of Motor Vehicles

Neutral:

Jim Cunningham

Representing:

Nebraska Catholic Conference

Summary of purpose and/or changes:

Amends section 60-484, application form for operator's licenses and state identification cards. Currently the questions related to organ and tissue donation on the application form are set out as optional questions to be answered by the applicant. The bill prescribes that an applicant shall answer the question indicating that they choose or choose not to have their name listed in the Donor Registry of Nebraska and to donate their organs and tissue at the time of death.

Amends section 60-494, operator license and state identification cards, organ or tissue donor information displayed. The section is amended as follows. Currently an individual's status as a donor must be renewed when the license or card is renewed. The bill provides that status as a donor remains effective until revoked or amended by the holder. The section is clarified by providing that expiration of the license or card does not change the holder's donor status. (Currently the section provides that donor status does not change when a license or card is suspended, canceled, revoked, or impounded.)

Currently the section provides that an individual may change their donor status by contacting the Donor Registry of

Nebraska via the Internet, by telephone, or via other methods approved by the federally designated organ procurement organization for Nebraska. The section is amended by striking the ability to change donor status by telephone. Language is added providing that donor status may also be revoked by indicating upon an application for an operator's license or state identification card that the individual does not wish to be included in the Donor Registry of Nebraska.

The bill has a delayed operative date of July 1, 2016.

Explanation of amendments:

The Committee considered and adopted an amendment which accomplishes the following.

The Committee amendment substitutes for the bill. The original language of the bill is retained as introduced with the following changes:

- 1) states that any applicant for an operator's license or permit under the age of 16 will not be required to answer the mandatory question on organ donation; (Section 1 of the amendment- page 2, lines 30-31)
- 2) reorders section 1 of the amendment and places the questions on the operator's license application about receiving additional information about becoming an organ or tissue donor in front of the mandatory question regarding the applicants desire to be an organ or tissue donor;
- 3) clarifies that a donor may limit what organs and/or tissues they wish to donate. Individuals desiring to make that distinction must do so by contacting the Donor Registry of Nebraska via the internet, telephone, or a will; and
- 4) reinstates language allowing an individual to contact the Donor Registry of Nebraska via telephone.

Jim Smith, Chairperson