



Hundredth Legislature - First Session - 2007  
**Introducer's Statement of Intent**  
**LB 475**

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**Chairperson:** Brad Ashford  
**Committee:** Judiciary  
**Date of Hearing:** February 15, 2007

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

This bill does two things: (1) changes the name of the Fair Employment Practice Act to the Employment Nondiscrimination Act, and (2) prohibits employment discrimination based on sexual orientation.

Employment discrimination based on race, color, religion, sex, disability, marital status, or national origin, currently is prohibited.

The Act applies to employers having 15 or more employees; employers with state contracts regardless of the number of employees; the State of Nebraska; governmental agencies; and political subdivisions. The Act does not apply to religious entities carrying on work in connection with their religious activities.

Justification for LB 475 is found in the State's employment policy contained in section 48-1101, which says in pertinent part: "It is the policy of this state to foster the employment of all employable persons. . . on the basis of merit regardless of their race, color, religion, sex, disability, marital status, or national origin and to safeguard their right to obtain and hold employment without discrimination[.] Denying equal opportunity for employment. . . is contrary to the principles of freedom and is a burden on the objectives of the public policy of this state."

Section 81-1356(1) declares: "Equal employment opportunity [means] the right of all persons to work and to advance on the basis of merit and ability without regard to race, color, religion, national origin, age, sex, marital status, or physical or mental disability." Sexual orientation will be added.

The statutes make it a hate crime to commit an offense against a person or a person's property because of sexual orientation (sections 28-110 through 28-114).

The Nebraska Code of Judicial Conduct, Canon 3(5) and (6), requires judges to perform their duties without bias or prejudice based on sexual orientation, and to require lawyers and court personnel to refrain from manifesting such bias or prejudice in the courtroom. (See attachments.)

Belief in the principles of justice, common decency and respect for the human dignity of every person impels me to offer and support LB 475.

**Principal Introducer:** \_\_\_\_\_  
**Senator Ernie Chambers**

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