

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 934**

Introduced by McGill, 26.

Read first time January 16, 2014

Committee: Judiciary

A BILL

1 FOR AN ACT relating to human trafficking; to amend section 81-1431,  
2 Revised Statutes Cumulative Supplement, 2012, and section  
3 81-1430, Revised Statutes Supplement, 2013; to change  
4 provisions relating to a task force and provide a  
5 termination date; to establish within the Nebraska  
6 Commission on Law Enforcement and Criminal Justice the  
7 position of Coordinator of Human Trafficking Prevention;  
8 to provide duties for the coordinator and powers and  
9 duties for the executive director of the commission; to  
10 harmonize provisions; to provide an operative date; to  
11 repeal the original sections; and to declare an  
12 emergency.

13 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) There is established within the Nebraska  
2 Commission on Law Enforcement and Criminal Justice the position of  
3 Coordinator of Human Trafficking Prevention and Rehabilitation to be  
4 appointed by the executive director of the commission.

5           (2) The executive director shall supervise the  
6 Coordinator of Human Trafficking Prevention and Rehabilitation. The  
7 coordinator shall be responsible for coordinating efforts to prevent  
8 and eliminate human trafficking and provide services to victims of  
9 human trafficking in this state. The coordinator shall:

10           (a) Research and recommend a model of rehabilitative  
11 services for victims of human trafficking that includes input from  
12 the areas of law enforcement, social services, the legal profession,  
13 the judiciary, mental health, and immigration.

14           (b) Coordinate statewide training pursuant to section  
15 81-1431;

16           (c) Collect, organize, maintain, and disseminate  
17 information on human trafficking and other victim services across the  
18 state, including the creation of a web site for the dissemination of  
19 relevant information;

20           (d) Monitor and apply for grant funding for programs that  
21 benefit human trafficking victims in Nebraska;

22           (e) Collaborate with child advocacy centers in this  
23 state, domestic violence organizations in this state, and the  
24 Department of Labor regarding human trafficking prevention and  
25 elimination;

1           (f) Provide support and oversight for human trafficking  
2 organizations that are developing and implementing strategic plans;  
3 and

4           (g) Provide leadership to the state in responding to  
5 human trafficking victims.

6           (3) Not later than one year after July 1, 2014, and every  
7 July 1 and December 1 thereafter, the Coordinator of Human  
8 Trafficking Prevention and Rehabilitation shall report electronically  
9 to the Clerk of the Legislature the results of its investigation and  
10 study and its recommendations, if any, together with drafts of  
11 legislation necessary to carry its recommendations into effect by  
12 filing the report with the clerk.

13           Sec. 2. Section 81-1430, Revised Statutes Supplement,  
14 2013, is amended to read:

15           81-1430 (1) A task force is hereby established within the  
16 Nebraska Commission on Law Enforcement and Criminal Justice for the  
17 purposes of investigating and studying human trafficking, the methods  
18 for advertising human trafficking services, and the victimization of  
19 individuals coerced to participate in human trafficking.

20           (2) The task force shall work with the coordinator  
21 created in section 1 of this act to examine the extent to which human  
22 trafficking is prevalent in this state, the scope of efforts being  
23 taken to prevent human trafficking from occurring, and the services  
24 available to victims of human trafficking in this state. The task  
25 force shall utilize information and research available from the

1 Innocence Lost National Initiative. ~~The task force shall research and~~  
2 ~~recommend a model of rehabilitative services for victims of human~~  
3 ~~trafficking that includes input from the areas of law enforcement,~~  
4 ~~social services, the legal profession, the judiciary, mental health,~~  
5 ~~and immigration.~~ The task force shall also investigate the  
6 limitations upon victims who wish to come forward and seek medical  
7 attention; investigate the potential to stop human trafficking; and  
8 investigate the potential to promote recovery, to protect families  
9 and children who may be profoundly impacted by such abuse, and to  
10 save lives.

11 (3)(a) The Department of Labor shall work with the task  
12 force to develop or select informational posters for placement around  
13 the state. The posters shall be in English, Spanish, and any other  
14 language deemed appropriate by the task force. The posters shall  
15 include a toll-free telephone number a person may call for  
16 assistance, preferably the National Human Trafficking Resource Center  
17 Hotline (888)373-7888.

18 (b) Posters shall be placed in rest stops and strip  
19 clubs. The task force shall work with local businesses and nonprofit  
20 entities associated with the prevention of human trafficking to  
21 voluntarily place additional signs in high schools, postsecondary  
22 educational institutions, gas stations, hotels, hospitals, health  
23 care clinics, urgent care centers, airports, train stations, bus  
24 stations, and other locations around the state deemed appropriate by  
25 the task force.

1                   (4) The task force shall raise awareness about human  
2 trafficking in this state by working with community partners to  
3 develop age-appropriate educational programming.

4                   ~~(4)~~(5) The task force shall consist of the following  
5 members:

6                   (a) The Attorney General or his or her designee;

7                   (b) The executive director of the Nebraska Commission on  
8 Law Enforcement and Criminal Justice;

9                   (c) The Superintendent of Law Enforcement and Public  
10 Safety or his or her designee;

11                   (d) The Director of Correctional Services or his or her  
12 designee;

13                   (e) The chief of police or director of public safety of a  
14 city of two hundred thousand inhabitants or more;

15                   (f) The chief of police or director of public safety of a  
16 city of less than two hundred thousand inhabitants;

17                   (g) A county sheriff;

18                   (h) A county attorney;

19                   (i) A county commissioner;

20                   (j) A mayor or city manager;

21                   (k) A person involved with the control or prevention of  
22 juvenile delinquency;

23                   (l) A person involved with the control or prevention of  
24 child abuse;

25                   (m) The Commissioner of Education or his or her designee;

1                   (n) The director of the Commission on Latino-Americans or  
2 his or her designee; and

3                   (o) Six members, at least three of whom shall be women,  
4 from the public at large.

5                   ~~(5)~~(6) The Governor shall appoint the members of the  
6 task force listed in subdivisions ~~(4)(e)~~(5)(e) through (l) and (o)  
7 of this section for terms as provided in subsection ~~(6)~~(7) of this  
8 section. The membership of the task force shall represent varying  
9 geographic areas and large and small political subdivisions. One  
10 member from the public at large shall be a professional representing  
11 child welfare, and one member of the public at large shall represent  
12 juvenile pretrial diversion programs.

13                   ~~(6)~~(7) The members of the task force appointed by the  
14 Governor shall serve six-year terms, except that of the members first  
15 appointed, four shall serve initial two-year terms, four shall serve  
16 initial four-year terms, and six shall serve initial six-year terms  
17 from January 1 next succeeding their appointments. Thereafter, all  
18 members shall serve six-year terms. A member may be reappointed at  
19 the expiration of his or her term. Any vacancy occurring otherwise  
20 than by expiration of a term shall be filled for the balance of the  
21 unexpired term in the same manner as the original appointment.

22                   ~~(7)~~(8) No member shall serve beyond the time when he or  
23 she holds the office, employment, or status by reason of which he or  
24 she was initially eligible for appointment. Any member of the task  
25 force appointed by the Governor may be removed from the task force

1 for cause upon notice and an opportunity to be heard at a public  
2 hearing. One of the causes for removal shall be absence from three  
3 regularly scheduled meetings of the task force during any six-month  
4 period when the member has failed to advise the task force in advance  
5 of such meeting that he or she will be absent and stating a reason  
6 therefor.

7 ~~(8)~~ (9) The chairperson of the task force shall be  
8 designated by the Governor to serve at the pleasure of the Governor.  
9 The chairperson shall be the chief executive officer of the task  
10 force but may delegate such of his or her duties to other members of  
11 the task force as may be authorized by the task force.

12 ~~(9)~~ (10) Notwithstanding any provision of law, ordinance,  
13 or charter provision to the contrary, membership on the task force  
14 shall not disqualify any member from holding any other public office  
15 or employment or cause the forfeiture thereof.

16 ~~(10)~~ (11) The members of the task force shall serve on  
17 the task force without compensation, but they shall be entitled to  
18 receive reimbursement for any actual expenses incurred as necessary  
19 incident to such service as provided in sections 81-1174 to 81-1177.

20 ~~(11)~~ (12) Eleven members of the task force shall  
21 constitute a quorum for the transaction of any business or the  
22 exercise of any power of the task force. The task force shall have  
23 the power to act by a majority of the members present at any meeting  
24 at which a quorum is in attendance.

25 ~~(12)~~ (13) All appointments shall be made not later than

1 thirty days after July 19, 2012. The chairperson shall meet with the  
2 task force not later than sixty days after July 19, 2012.

3 ~~(13)~~(14) Not later than one year after July 19, 2012,  
4 and every July 1 and December 1 thereafter, the task force shall  
5 report electronically to the Clerk of the Legislature the results of  
6 its investigation and study and its recommendations, if any, together  
7 with drafts of legislation necessary to carry its recommendations  
8 into effect by filing the report with the clerk.

9 (15) This section terminates on July 1, 2015.

10 Sec. 3. Section 81-1431, Revised Statutes Cumulative  
11 Supplement, 2012, is amended to read:

12 81-1431 (1) It is the intent of the Legislature that law  
13 enforcement agencies, prosecutors, public defenders, judges, juvenile  
14 detention center staff, and others involved in the juvenile justice  
15 system and the criminal justice system and other relevant officials  
16 be provided mandatory training regarding issues in human trafficking.  
17 The task force established in section 81-1430 and the coordinator  
18 created in section 1 of this act shall work with such agencies,  
19 persons, and staff to develop a proper curriculum for the training  
20 and to determine how the training should be provided. The  
21 determination and accompanying legislative recommendations shall be  
22 made by December 1, ~~2012.~~2014. Such training shall focus on:

23 (a) State and federal law regarding human trafficking;

24 (b) Methods used in identifying victims of human  
25 trafficking who are United States citizens and foreign nationals,

1 including preliminary interview techniques and appropriate  
2 questioning methods;

3 (c) Methods for prosecuting human traffickers;

4 (d) Methods of increasing effective collaboration with  
5 nongovernmental organizations and other relevant social service  
6 organizations in the course of investigating and prosecuting a human  
7 trafficking case;

8 (e) Methods for protecting the rights of victims of human  
9 trafficking, taking into account the need to consider human rights  
10 and the special needs of women and minor victims;

11 (f) The necessity of treating victims of human  
12 trafficking as crime victims rather than as criminals; and

13 (g) Methods for promoting the safety and well-being of  
14 all victims of human trafficking.

15 (2) The task force and coordinator shall also seek the  
16 input and participation of appropriate nongovernmental organizations  
17 and other relevant organizations regarding the provision,  
18 preparation, and presentation of the training called for in this  
19 section.

20 Sec. 4. This act becomes operative on July 1, 2014.

21 Sec. 5. Original section 81-1431, Revised Statutes  
22 Cumulative Supplement, 2012, and section 81-1430, Revised Statutes  
23 Supplement, 2013, are repealed.

24 Sec. 6. Since an emergency exists, this act takes effect  
25 when passed and approved according to law.