

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIFTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 407**

Introduced by Pansing Brooks, 28; Baker, 30; Brewer, 43; Crawford, 45;  
Kolterman, 24; Lindstrom, 18; McDonnell, 5; Wishart, 27.

Read first time January 13, 2017

Committee: Executive Board

- 1 A BILL FOR AN ACT relating to public health; to create and provide duties
- 2 for a task force; and to provide for termination.
- 3 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) The Whiteclay Public Health Emergency Task Force is  
2 created. The task force shall be composed of an executive committee and  
3 an advisory committee.

4           (2) The executive committee of the task force shall consist of five  
5 voting members: The chairperson of the State-Tribal Relations Committee  
6 of the Legislature, the chairperson of the Health and Human Services  
7 Committee of the Legislature, and three at-large members. One of the at-  
8 large members shall be an official of the University of Nebraska Medical  
9 Center appointed by the Chancellor of the University of Nebraska Medical  
10 Center. The remaining at-large members shall be appointed by the  
11 Executive Board of the Legislative Council. The voting members of the  
12 executive committee shall choose a chairperson and vice-chairperson from  
13 among the voting members.

14           (3) The executive committee shall also include the following  
15 nonvoting, ex officio members: The chief executive officer of the  
16 Department of Health and Human Services or his or her designee, the  
17 executive director of the Commission on Indian Affairs or his or her  
18 designee, and the executive director of the Department of Economic  
19 Development or his or her designee, a public health expert, and a data  
20 analysis expert from the University of Nebraska Medical Center appointed  
21 by the Chancellor of the University of Nebraska Medical Center.

22           (4) The advisory committee of the task force shall consist of at  
23 least ten members who shall be nonvoting members appointed by the  
24 executive committee of the task force through an application and  
25 selection process and shall represent (a) advocacy groups that focus on  
26 public health issues and economic development issues, (b) academic  
27 experts in health care and economic development issues, (c) service  
28 providers, (d) educational institutions, (e) workforce development  
29 agencies, and (f) experts in public health issues for Native American  
30 people.

31           Sec. 2. (1) The Whiteclay Public Health Emergency Task Force shall

1 examine public health implications of alcohol sales in Whiteclay,  
2 Nebraska, on the Whiteclay community and surrounding areas, including the  
3 neighboring Pine Ridge Reservation. The task force shall: (a) Collect,  
4 examine, and analyze data on fetal alcohol syndrome and other health  
5 conditions related to alcoholism in such areas; (b) collect, examine, and  
6 analyze data on access in such areas to detoxification, treatment  
7 facilities, telehealth, distance learning, and other health resources for  
8 those affected by the consumption of alcohol, including affected  
9 children; (c) collect, examine, and analyze data on children in such  
10 areas who are at risk of continuing a cycle of alcoholism unless outside  
11 intervention is made available; (d) encourage participation and obtain  
12 input from academic and medical experts, including, but not limited to,  
13 the University of Nebraska Medical Center; (e) encourage and obtain input  
14 from nonprofit organizations, faith-based institutions, and city, county,  
15 and tribal government officials to evaluate and develop strategies and  
16 solutions to help victims escape alcoholism; (f) study, evaluate, and  
17 report on the status and effectiveness of policies, procedures, and  
18 programs implemented by other states directed toward Native American  
19 populations as they relate to preventing and combating alcoholism; (g)  
20 evaluate the adequacy of interagency data sharing and policy coordination  
21 and recommend changes as necessary; (h) examine sources of federal,  
22 state, and private funds that may be available for prevention,  
23 detoxification, treatment, rehabilitation, and economic development; (i)  
24 create a long-range strategic plan containing measurable goals and  
25 benchmarks, including future action needed to attain those goals and  
26 benchmarks, for decreasing the incidence of alcohol-related health  
27 problems through prevention programs and increasing treatment, access to  
28 detoxification services, and economic growth in Whiteclay, Nebraska, and  
29 the surrounding areas; and (j) recommend data-supported changes to  
30 policies, procedures, and programs to address the needs of children  
31 affected by alcohol-related health issues and to help those children

1 escape the cycle of alcoholism, including the steps that will be required  
2 to make the recommended changes and whether further action is required by  
3 the Legislature or local governments.

4 (2) To accomplish the objectives set forth in subsection (1) of this  
5 section, the task force may: (a) Request, obtain, review, and analyze  
6 information relating to public health issues in Whiteclay, Nebraska, and  
7 surrounding areas, including, but not limited to, reports, audits, data,  
8 projections, and statistics; and (b) appoint one or more special  
9 committees to advise and assist the task force. Members of any such  
10 special committee shall be appointed by the chairperson of the task force  
11 and may be members of the task force or individuals from the private or  
12 public sector. Any such special committee shall regularly report to the  
13 task force on the progress of the special committee. Members of a special  
14 committee appointed under this section shall not receive reimbursement or  
15 payment for work done in relation to the special committee.

16 Sec. 3. On or before December 15, 2017, and on or before December  
17 15, 2018, the Whiteclay Public Health Emergency Task Force shall submit a  
18 preliminary report to the Governor, the executive director of the  
19 Commission on Indian Affairs, and electronically to the State-Tribal  
20 Relations Committee of the Legislature and the Executive Board of the  
21 Legislative Council. On or before December 31, 2019, the task force shall  
22 submit a final report to the Governor, the executive director of the  
23 Commission on Indian Affairs, and electronically to the State-Tribal  
24 Relations Committee of the Legislature and the Executive Board of the  
25 Legislative Council. The preliminary reports and the final report shall  
26 include: (1) The long-range strategic plan required pursuant to section 2  
27 of this act; (2) a summary of the actions taken by the task force to  
28 fulfill its statutory purposes and duties during the time period covered  
29 by the report; (3) a description of the policies, procedures, and  
30 programs that have been implemented or modified to help rectify the  
31 Whiteclay public health emergency; and (4) the task force's

1 recommendations on how the state should act to solve issues relating to  
2 the Whiteclay public health emergency and the economic and social issues  
3 contributing to the emergency.

4 The Whiteclay Public Health Emergency Task Force shall terminate on  
5 December 31, 2019.