

ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019
COMMITTEE STATEMENT
LB627

Hearing Date: Thursday February 07, 2019
Committee On: Judiciary
Introducer: Pansing Brooks
One Liner: Prohibit discrimination based upon sexual orientation and gender identity

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye:	5	Senators DeBoer, Lathrop, Morfeld, Pansing Brooks, Wayne
Nay:		
Absent:	1	Senator Chambers
Present Not Voting:	2	Senators Brandt, Slama

Oral Testimony:

Proponents:

Senator Patty Pansing Brooks
Jennifer Creager

Morgann Freeman
Erin Porterfield
Kayla Meyer

Leirion Gaylor Baird
Ian Will
Anna Stenka
Gwendolen Hines
Jason St. Sauver
Danielle Conrad
Patricia Tetreault
Mary Boschult

Sandra Black
Joseph Couch
Aryn Huck
Michael Jensen
Abbi Swatsworth
Evelyn Fink
Eli Rigatuso
Allisyn Mills
Lucas Peterson
Stephen Griffith
Brian Whitecalf
Judy King
Angie Salahou-Philips

Representing:

Introducer
Greater Omaha Chamber, Union Pacific & Lincoln Chamber of Commerce
Greater Omaha Chamber Young Professionals Council
Heartland Workforce Solutions
Lincoln Young Professionals Group & Lincoln Chamber of Commerce
self
self
self
Social Justice Committee, Unitarian Church of Lincoln
self
ACLU of Nebraska
self
League of Women Voters of Lincoln and Lancaster County
self
self
self
self
self
self
self
self
self
self
Out Nebraska
self
self
self
Nebraskans for Peace
self
self

Vicki Wood

self

Opponents:

Robert Klotz

Matt Sharp

Tom Venzor

Karen Bowling

Mark Bonkiewicz

Charlene Edmundson

Tyrone Charleston

John Dockery

Ronald Garner

Representing:

self

Alliance Defending Freedom

Nebraska Catholic Conference

Nebraska Family Alliance

Nebraskans 4 Founders Values

self

self

self

Word of Hope

Neutral:

Marna Munn

Representing:

Nebraska Equal Opportunity Commission

Summary of purpose and/or changes:

Existing state law contains numerous provisions prohibiting discrimination on the basis of race, color, creed, religion, ancestry, sex, marital status, national origin, familial status, handicap, age, or disability. LB627 would add sexual orientation and gender identity to this list of prohibited bases of discrimination.

Section 20 would amend Sec. 49-801 to define sexual orientation as "actual or perceived homosexuality, heterosexuality, or bisexuality." Gender identity would be defined as "actual or perceived appearance, expression, identity, or behavior of an individual, whether or not that appearance, expression, identity, or behavior is different from that traditionally or stereotypically associated with the individual's assigned sex at birth."

Section 1 would amend Sec. 18-1724 to add sexual orientation and gender identity to the bases of discrimination in employment, public accommodation, and housing that cities and villages could pass ordinances to prevent.

Section 2 would amend Sec. 23-2525 to require counties to include sexual orientation and gender identity in the nondiscrimination rules and regulations of its personnel policies for classified service.

Section 3 would amend Sec. 23-2531 to include sexual orientation and gender identity in the list of prohibited bases of discrimination in county personnel administration.

Section 4 would amend Sec. 23-2541 to require counties to include sexual orientation and gender identity in the nondiscrimination rules and regulations of its personnel policies.

Section 5 would amend Sec. 29-401 to harmonize the reference to the definition of "peace officer" in Sec. 49-801. This is a nonsubstantive change necessitated by the new definitions added in section 20 of this bill.

Section 6 would amend Sec. 48-215 to add sexual orientation and gender identity to the list of prohibited bases of employment discrimination by companies engaged in the production, manufacture, or distribution of military material, equipment, and supplies.

Section 7 would amend Sec. 48-628.13 to add sexual orientation and gender identity to the list of types of discrimination that constitute good cause for leaving employment for purposes of unemployment benefits.

Sections 8 through 19 would add sexual orientation and gender identity to the list of prohibited reasons for employment discrimination under the Nebraska Fair Employment Practice Act. The Fair Employment Practices Act applies to employers with fifteen or more employees, but does not apply to religious corporations, associations, or societies with respect to employment of individuals of a particular religion to perform work connected with the carrying on of the

organization's religious activities.

Sections 21 and 22 would amend Sections 81-1355 and 81-1356 to add sexual orientation and gender identity to the list of prohibited bases of employment discrimination in state government. These sections require state government to engage in a deliberate effort to provide equal employment opportunity.

Steve Lathrop, Chairperson