



**Hundredth Legislature - First Session - 2007
Committee Statement
LB 467**

Hearing Date: February 15, 2007
Committee On: Judiciary

Introducer(s): (Chambers)

Title: Grant the Ombudsman authority with respect to county jails

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - X Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

- | | | |
|---|---------------------|--|
| 7 | Yes | Sen. Ashford, Sen. Lathrop, Sen. Chambers, Sen. McDonald,
Sen. McGill, Sen. Pedersen, Sen Schimek |
| | No | |
| 1 | Present, not voting | Sen. Pirsch |
| | Absent | |
-

Proponents:

Sen. Chambers
Marshall Lux
Laurel Marsh

Representing:

Ombudsman’s office
ACLU - Nebraska

Opponents:

Rick Boucher
Beth Ferrell

Representing:

Nebraska Sheriffs Association
Nebraska Association of County Officials

Neutral:

Representing:

Summary of purpose and/or changes: Legislative Bill 467 proposes to expand the scope of the investigative authority of the Office of Public Counsel to include county correctional facilities and their employees by redefining the term administrative agency to include county correctional of jail facilities. Currently the Public Counsel has authority to investigate any administrative agency. Administrative agency is currently defined to apply only to entities affiliated with state government and explicitly excludes political subdivisions.

Explanation of amendments, if any:

The committee amendment to LB 467 incorporates the provisions of LB 107 and makes no other changes to the bill as introduced. LB 107, introduced by Senator Dwite Pedersen, directs the Public Counsel, commonly referred to as the state ombudsman, to appoint a deputy public counsel for institutions. The authority of the deputy public counsel for institutions covers mental health and veterans institutions operated by the Department of Health and Human Services (HHS) and complaints relating to the rights of individuals placed within those institutions. Current law already authorizes the Public Counsel to hire such assistants and employees as are necessary to carry out the duties of the office and the powers of the public counsel currently include investigation of institutions operated by HHS.

Senator Brad Ashford, Chairperson