



Hundredth Legislature - First Session - 2007
Revised Committee Statement
LB 475

Hearing Date: February 15, 2007

Committee On: Judiciary

Introducer(s): (Chambers)

Title: Prohibit discrimination based upon sexual orientation or marital status

Roll Call Vote – Final Committee Action:

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

Vote Results:

5	Yes	Sen. Ashford, Sen. Chambers, Sen. McGill, Sen. Pedersen, Sen. Schimek
1	No	Sen. Pirsch
2	Present, not voting	Sen. McDonald, Sen. Lathrop
	Absent	

Proponents:

Sen. Chambers
Michael Gordon
Lucas Peterson
Stephen Griffith
Laurel Marsh
Tyler Richard
Derek Robinson

Representing:

Citizen for Equal Protection

Minister St. Paul Church
ACLU - Nebraska

Opponents:

Richard Clements
Edward Stringham
Jim Cunningham
AL Riskowski
Don Kohls

Representing:

Nebraska Catholic Conference
Nebraska Family Council

Neutral:

Representing:

Summary of purpose and/or changes:

Under current law, employment discrimination based on race, color, religion, sex, disability, marital status or national origin is prohibited.

Legislative Bill 475 adds sexual orientation to the factors that an employer is forbidden to consider when making employment decisions. Under LB 475, it would be an unlawful employment practice for an employer, an employment agency, or a labor organization to discriminate against an individual on the basis of sexual orientation.

The bill also changes the name of the Nebraska Fair Employment Practice Act to the Employment Nondiscrimination Act (Act).

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.

Legislative Bill 475 adds sexual orientation to the equal employment opportunity provision in §81-1356. However, the bill does not include sexual orientation in the definition of affirmative action in §81-1356. LB 475 clarifies that the law shall not be construed to require numerical goals, quotas or other types of affirmative action programs with respect to sexual orientation.

Finally, LB 475 repeals section 48-1109, which contains a reference permitting discrimination against members of the Communist Party.

Explanation of amendments, if any:

AM 399 provides that the prohibition against discriminating on the basis of sexual orientation does not apply to any bona fide religious organization.

Senator Brad Ashford, Chairperson