

ONE HUNDRED FIFTH LEGISLATURE - SECOND SESSION - 2018
COMMITTEE STATEMENT
LB1015

Hearing Date: Wednesday February 14, 2018
Committee On: Government, Military and Veterans Affairs
Introducer: Briese
One Liner: Allow withholding from public of reports of injury under the Nebraska Workers' Compensation Act that reveal an employee's identity

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 6 Senators Brewer, Briese, Hilgers, Lowe, Murante, Thibodeau
Nay: 2 Senators Blood, Wayne
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:

Senator Tom Briese
Bob Hallstrom

Ron Sedlacek
Jim Otto

Steven Hilbers
Ann Farrar
Trevor Moman
Dewey Dyches
David Williams

Representing:

Introducer
Nebraskans for Worker's Compensation Equity and Fairness; National Federation of Independent Business
Nebraska Chamber of Commerce
Nebraska Retail Federation; Nebraska Restaurant Association; Nebraska Grocery Industry Association
Self
Self
Self
Self
Father Flanagan's Boys Home

Opponents:

Michael Dowd
Dennis Crawford
Shawn Renner
Mike Dyer
John Lingo

Representing:

AFL-CIO
Nebraska Association of Trial Attorneys
Media of Nebraska, Inc.
Self
Self

Neutral:

Tonya Ford

Representing:

USMWF Org Inc.

Summary of purpose and/or changes:

LB 1015 would allow any government entity to withhold information regarding reports filed pursuant to section 48-144.01 which reveal the identity of the employee who is the subject of the report. These are reports of injuries arising out of the course of employment filed with the Nebraska Workers' Compensation Court.

Explanation of amendments:

AM 1927 adds exceptions to the general public records exemption of the bill.

First, it provides that the reports shall be made available for inspection or copying by the following:

- (a) the employee who is the subject of the report or by an attorney or authorized agent of such employee
- (b) the employer, workers' compensation insurer, risk management pool, or third-party administrator that is a party to the report or an attorney or authorized agent of such party
- (c) a third party for the purpose of identifying the number and nature of any injuries to any employees of an employer if the identity of any employee is redacted prior to releasing the reports
- (d) a nonprofit organization for the purpose of sending condolences to, providing memorials for, and offering grief counseling to family members of an employee whose death was caused by a workplace incident

Second, it makes clear that the reports must be disclosed by the court if the reports are requested for use in connection with a state or federal investigation or examination or for use by the state or federal government to compile statistical information.

John Murante, Chairperson