

ONE HUNDRED FOURTH LEGISLATURE - SECOND SESSION - 2016
COMMITTEE STATEMENT
LB990

Hearing Date: Wednesday March 02, 2016
Committee On: Judiciary
Introducer: Davis
One Liner: Adopt the Fetal Dignity Protection Act

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

Vote Results:

Aye:	5	Senators Seiler, Coash, Ebke, Krist, Williams
Nay:	1	Senator Chambers
Absent:		
Present Not Voting:	2	Senators Morfeld, Pansing Brooks

Verbal Testimony:

Proponents:

SEN. AL DAVIS
PATRICK BORCHERS
JULIE SCHMIT-ALBIN
MARIS BENTLEY
TOM VENZOR

Representing:

INTRODUCER
SELF
NEBRASKA RIGHT TO LIFE
NEBRASKANS UNITED FOR LIFE
NEBRASKA CATHOLIC CONFERENCE

Opponents:

MEG MIKOLAJCZYK
AMY MILLER
GWENDOLEN HINES

Representing:

PLANNED PARENTHOOD
ACLU
UNITARIAN CHURCH

Neutral:

RICHARD LOMBARDI

Representing:

RESEARCH NEBRASKA

Summary of purpose and/or changes:

Section 2 defines human fetal tissue for purposes of the bill and excludes certain payments from the definition of valuable consideration.

Section 3 would make it unlawful for a person within the State of Nebraska to knowingly acquire, receive, or otherwise transfer any human fetal tissue for valuable consideration.

Section 4 would require the promulgation of rules and regulations to ensure facilities authorized to terminate pregnancies dispose of the remains by burial, cremation or hospital-type incineration.

Section 5 would require any person performing abortions in Nebraska to file monthly reports as to the treatment of each aborted human fetus. The Department of Health and Human Services would be required to create a form for reporting this information.

Section 6 would make a failure to comply with the requirements of LB990 a violation of the professional standards of any

professional license. This section would authorize the Nebraska Attorney General to seek an injunction preventing the performance of abortions by any person violating the requirements of LB990.

Section 7 is a severability clause.

Section 8 would add a failure to comply with the requirements of LB990 to the definition of unprofessional conduct in section 38-2021 in the Medicine and Surgery Practice Act.

Explanation of amendments:

AM2484 would replace the original bill.

The amendment would clarify that the Department of Health and Human Services would be the entity required to promulgate rules and regulations.

Section 4 would add donation for research as an allowed disposition of human fetal tissue.

The amendment would change references in the original bill to abortion to any procedure that results in the recovery of human fetal tissue.

The amendment also clarifies reporting requirements and would not allow the reports available for public inspection to be combined with other reports.

Les Seiler, Chairperson