

**ONE HUNDRED SIXTH LEGISLATURE - SECOND SESSION - 2020**  
**COMMITTEE STATEMENT**  
**LB1150**

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**Hearing Date:** Thursday February 06, 2020  
**Committee On:** Health and Human Services  
**Introducer:** Brandt  
**One Liner:** Require the youth rehabilitation and treatment centers to be fully operational by July 1, 2021

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

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**Vote Results:**  
**Aye:** 7 Senators Arch, Cavanaugh, Hansen, B., Howard, Murman, Walz, Williams  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Oral Testimony:**

**Proponents:**  
Senator Tom Brandt  
Frank Heinisch  
Kyle Svec

**Representing:**  
Introducer  
Self  
City of Geneva

**Opponents:**

**Representing:**

**Neutral:**  
Juliet Summers  
Julie Rogers

**Representing:**  
Voices for Children in Nebraska  
Ombudsman/Public Counsel

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**Summary of purpose and/or changes:**

LB 1150 would require the Youth Rehabilitation and Treatment Centers in Kearney and Geneva to return to their past function with Geneva serving female youth and Kearney serving male youth.

LB 1150 requires the Department of Health and Human Services (DHHS) and the Office of Juvenile Services (OJS) to take all steps necessary to ensure that the Youth Rehabilitation and Treatment Center (YRTC) in Geneva is fully staffed and operational for the supervision, care, treatment, and rehabilitation of female juveniles committed to the YRTC, on or before July 1, 2021. (Sec. 1(1).)

Similarly, LB 1150 requires the DHHS and the OJS to take all steps necessary to ensure that the YRTC in Kearney is fully staffed and operational for the supervision, care, treatment, and rehabilitation of male juveniles committed to the YRTC, on or before July 1, 2021. (Sec. 1(2).)

Under LB 1150, the supervision, care, treatment, and rehabilitation must be done at the YRTCs in a manner that is safe, abides by state and federal law, and "where practicable" is in accordance with national best practices.

Subsection (3) of LB 1150 requires OJS and DHHS to submit reports to the Legislature on their progress towards making the YRTCs fully operational by July 1, 2021 and information on any resources and legislation needed to meet

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that goal. The reports are due August 1, 2020 and December 1, 2020.

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**Explanation of amendments:**

AM 2742 replaces the green copy of LB 1150 and becomes the bill.

AM 2742 amends 83-107.01. Section 1(2) states that by July 1, 2021, if DHHS operates a YRTC in Kearney, it shall be used for the treatment of boys only. Similarly, by July 1, 2021, if DHHS operates a YRTC in Geneva it shall be used for the treatment of girls only. (Sec. 1(2)(b) and (c), p. 1, lines 12-19.)

For any other facility that is operated and utilized as a YRTC under state law, DHHS must ensure safe and appropriate gender separation. (Sec. 1(2)(d).)

In the event of an emergency, DHHS may use YRTC-Kearney or YRTC-Geneva for the treatment of juveniles of both genders for up to seven (7) days and must ensure safe and appropriate gender separation during that time. (Sec. 1(2)(e).)

Emergency is defined as "a situation including fire, flood, tornado, natural disaster, or damage to the institution that renders an institution uninhabitable." Emergency does not include inadequate staffing. (Sec. 1(2)(f).)

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Sara Howard, Chairperson