

LEGISLATURE OF NEBRASKA
NINETY-NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 761

Introduced by Thompson, 14; Bourne, 8; Brown, 6; Engel, 17;
Kruse, 13; D. Pederson, 42; Price, 26; Synowiecki, 7

Read first time January 19, 2005

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to the State Foster Care Review Board; to amend
2 section 43-1302, Reissue Revised Statutes of Nebraska; to
3 change provisions relating to membership; to harmonize
4 provisions; and to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 43-1302, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 43-1302. (1) (a) Until January 1, 2006, the ~~The~~ State
4 Foster Care Review Board shall be comprised of nine members to be
5 appointed by the Governor, subject to confirmation by a majority of
6 the members elected to the Legislature. At least one member shall
7 be an attorney with legal expertise in child welfare. Two members
8 shall be from each of the three congressional districts as they
9 existed on January 1, 1982. In addition to the six members
10 representative of the congressional districts, three members shall
11 be appointed by the Governor from a group consisting of all the
12 chairpersons of the local boards, and one such chairperson shall be
13 appointed from each such congressional district. The appointment
14 of a member of a local board to the state board shall not create a
15 vacancy on the local board. Members other than those appointed
16 from the group consisting of all the chairpersons of the local
17 boards shall be appointed to three-year terms, and those members
18 appointed from the group consisting of all the chairpersons of
19 local boards shall be appointed to two-year terms. No person shall
20 serve on the state board for more than six consecutive years. No
21 person employed by a child-caring agency, a child-placing agency,
22 or a court shall be appointed to the state board.

23 (b) On and after January 1, 2006, the State Foster Care
24 Review Board shall be comprised of fifteen members. The board
25 shall include the following voting members:

26 (i) Fourteen members appointed by the Governor with the
27 approval of a majority of the members elected to the Legislature,
28 consisting of: Three members of local foster care review boards,

1 one from each congressional district; one practitioner of pediatric
2 medicine, licensed under the Uniform Licensing Law; one
3 practitioner of child clinical psychology, licensed under the
4 Uniform Licensing Law; one social worker certified under the
5 Uniform Licensing Law, with expertise in the area of child welfare;
6 one county attorney; one attorney who is or has been a guardian ad
7 litem; one representative of a statewide child advocacy group; one
8 person who is or has been a foster parent; one child advocacy
9 center coordinator; one court appointed special advocate; one
10 probation officer; and one educator; and

11 (ii) The Director of Health and Human Services or his or
12 her designee.

13 The terms of members appointed pursuant to subdivision
14 (1) (b) (i) of this section shall be three years, except that, of the
15 initial members of the board, one-third shall be appointed for
16 terms of one year, one-third for terms of two years, and one-third
17 for terms of three years, as determined by the Governor. No person
18 appointed by the Governor to the board shall serve more than two
19 consecutive three-year terms. An appointee to a vacancy occurring
20 from an unexpired term shall serve out the term of his or her
21 predecessor. Members whose terms have expired shall continue to
22 serve until their successors have been appointed and qualified.
23 Members serving on the state board on December 31, 2005, shall
24 continue in office until the members appointed under subdivision
25 (1) (b) (i) of this section take office.

26 (2) The state board shall select a chairperson,
27 vice-chairperson, and such other officers as the state board deems
28 necessary. Members of the state board shall be reimbursed for

1 their actual and necessary expenses as provided in sections 81-1174
2 to 81-1177. The state board shall employ or contract for services
3 from such persons as are necessary to aid it in carrying out its
4 duties.

5 Sec. 2. Original section 43-1302, Reissue Revised
6 Statutes of Nebraska, is repealed.