

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 679

Introduced by Legislative Performance Audit Committee Harms, 48,
Chairperson; Flood, 19; Friend, 10; Heidemann, 1;
Nantkes, 46; Stuthman, 22; Wightman, 36.

Read first time January 21, 2009

Committee: Health and Human Services

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 require certain disclosure from potential board members
- 4 as prescribed; 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 State Foster
4 Care Review Board shall be comprised of nine members to be
5 appointed by the Governor, subject to confirmation by a majority
6 of the members elected to the Legislature. At least one member
7 shall be an attorney with legal expertise in child welfare. Two
8 members shall be from each of the three congressional districts as
9 they 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 of
14 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 from
16 the group consisting of all the chairpersons of the local boards
17 shall be appointed to three-year terms, and those members appointed
18 from the group consisting of all the chairpersons of local boards
19 shall be appointed to two-year terms. No person shall serve on the
20 state board for more than six consecutive years. No person employed
21 by a child-caring agency, a child-placing agency, or a court shall
22 be appointed to the state board.

23 ~~(b)~~ On and after January 1, 2006, the (1) The State
24 Foster Care Review Board shall be comprised of eleven members
25 appointed by the Governor with the approval of a majority of the

1 members elected to the Legislature, consisting of: Three members
2 of local foster care review boards, one from each congressional
3 district; one practitioner of pediatric medicine, licensed under
4 the Uniform Credentialing Act; one practitioner of child clinical
5 psychology, licensed under the Uniform Credentialing Act; one
6 social worker certified under the Uniform Credentialing Act, with
7 expertise in the area of child welfare; one attorney who is or
8 has been a guardian ad litem; one representative of a statewide
9 child advocacy group; one director of a child advocacy center; one
10 director of a court appointed special advocate program; and one
11 member of the public who has a background in business or finance.
12 Prior to appointment, each potential member shall disclose any and
13 all funding he or she or his or her employer receives from the
14 Department of Health and Human Services.

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

1 shall continue in office until the members appointed under this
2 ~~subdivision~~ subsection take office. The members of the state board
3 shall, to the extent possible, represent the three congressional
4 districts equally.

5 (2) The state board shall select a chairperson,
6 vice-chairperson, and such other officers as the state board deems
7 necessary. Members of the state board shall be reimbursed for their
8 actual and necessary expenses as provided in sections 81-1174 to
9 81-1177. The state board shall employ or contract for services from
10 such persons as are necessary to aid it in carrying out its duties.

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