

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 87

FINAL READING

Introduced by Campbell, 25.

Read first time January 08, 2015

Committee: Health and Human Services

1 A BILL FOR AN ACT relating to the Nebraska Children's Commission; to
2 amend sections 43-4202 and 43-4207, Revised Statutes Cumulative
3 Supplement, 2014; to change membership on the commission; to change
4 and eliminate reporting requirements; and to repeal the original
5 sections.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 43-4202, Revised Statutes Cumulative Supplement,
2 2014, is amended to read:

3 43-4202 (1) The Nebraska Children's Commission is created as a high-
4 level leadership body to (a) create a statewide strategic plan for reform
5 of the child welfare system programs and services in the State of
6 Nebraska and (b) review the operations of the Department of Health and
7 Human Services regarding child welfare programs and services and
8 recommend, as a part of the statewide strategic plan, options for
9 attaining the legislative intent stated in section 43-4201, either by the
10 establishment of a new division within the department or the
11 establishment of a new state agency to provide all child welfare programs
12 and services which are the responsibility of the state. The commission
13 shall provide a permanent forum for collaboration among state, local,
14 community, public, and private stakeholders in child welfare programs and
15 services.

16 (2) The commission shall include the following voting members:

17 (a) The executive director of the Foster Care Review Office; and

18 (b) Seventeen members appointed by the Governor. The members
19 appointed pursuant to this subdivision shall represent stakeholders in
20 the child welfare system and shall include: (i) A director of a child
21 advocacy center; (ii) an administrator of a behavioral health region
22 established pursuant to section 71-807; (iii) a community representative
23 from each of the service areas designated pursuant to section 81-3116. In
24 the eastern service area designated pursuant to such section, the
25 representative may be from a lead agency of a pilot project established
26 under section 68-1212 or a collaborative member; (iv) a prosecuting
27 attorney who practices in juvenile court; (v) a guardian ad litem; (vi) a
28 biological parent currently or previously involved in the child welfare
29 system; (vii) a foster parent; (viii) a court appointed special advocate
30 volunteer; (ix) a member of a local foster care review board; (x) a child
31 welfare service agency that directly provides a wide range of child

1 welfare services and is not a member of a lead agency collaborative; (xi)
2 a young adult previously in foster care; (xii) a representative of a
3 child advocacy organization that deals with legal and policy issues that
4 include child welfare; and (xiii) a representative of a federally
5 recognized Indian tribe residing within the State of Nebraska and
6 appointed within thirty days after June 5, 2013, from a list of three
7 nominees submitted by the Commission on Indian Affairs.

8 (3) The Nebraska Children's Commission shall have the following
9 nonvoting, ex officio members: (a) The chairperson of the Health and
10 Human Services Committee of the Legislature or a committee member
11 designated by the chairperson; (b) the chairperson of the Judiciary
12 Committee of the Legislature or a committee member designated by the
13 chairperson; (c) the chairperson of the Appropriations Committee of the
14 Legislature or a committee member designated by the chairperson; (d)
15 three persons appointed by the State Court Administrator; (e) the chief
16 executive officer of the Department of Health and Human Services or his
17 or her designee; (f) the Director of Children and Family Services of the
18 Division of Children and Family Services of the Department of Health and
19 Human Services or his or her designee; (g) the Commissioner of Education
20 or his or her designee; and (h g) the Inspector General of Nebraska Child
21 Welfare. The nonvoting, ex officio members may attend commission meetings
22 and participate in the discussions of the commission, provide information
23 to the commission on the policies, programs, and processes of each of
24 their respective bodies, gather information for the commission, and
25 provide information back to their respective bodies from the commission.
26 The nonvoting, ex officio members shall not vote on decisions by the
27 commission or on the direction or development of the statewide strategic
28 plan pursuant to section 43-4204.

29 (4) The commission shall meet within sixty days after April 12,
30 2012, and shall select from among its members a chairperson and vice-
31 chairperson and conduct any other business necessary to the organization

1 of the commission. The commission shall meet not less often than once
2 every three months, and meetings of the commission may be held at any
3 time on the call of the chairperson. The commission may hire staff to
4 carry out the responsibilities of the commission. For administrative
5 purposes, the offices of the staff of the commission shall be located in
6 the Foster Care Review Office. The commission shall hire a consultant
7 with experience in facilitating strategic planning to provide neutral,
8 independent assistance in developing the statewide strategic plan. The
9 commission shall terminate on June 30, 2016, unless continued by the
10 Legislature.

11 (5) The commission, with assistance from the executive director of
12 the Foster Care Review Office, shall employ a policy analyst to provide
13 research and expertise to the commission relating to the child welfare
14 system. The policy analyst shall work in conjunction with the staff of
15 the commission. His or her responsibilities may include, but are not
16 limited to: (a) Monitoring the Nebraska child welfare system and juvenile
17 justice system to provide information to the commission; (b) analyzing
18 child welfare and juvenile justice public policy through research and
19 literature reviews and drafting policy reports when requested; (c)
20 managing or leading projects or tasks and providing resource support to
21 commission members and committees as determined by the chairperson of the
22 commission; (d) serving as liaison among child welfare and juvenile
23 justice stakeholders and the public and responding to information
24 inquiries as required; and (e) other duties as assigned by the
25 commission.

26 (6) Members of the commission shall be reimbursed for their actual
27 and necessary expenses as members of such commission as provided in
28 sections 81-1174 to 81-1177.

29 Sec. 2. Section 43-4207, Revised Statutes Cumulative Supplement,
30 2014, is amended to read:

31 43-4207 The Nebraska Children's Commission shall provide a written

1 report to the Governor and an electronic report to the Health and Human
2 Services Committee of the Legislature of its activities during the
3 previous year to the Health and Human Services Committee of the
4 Legislature on or before December 1, 2015. If the commission is continued
5 by the Legislature as provided in section 43-4202, the commission shall
6 provide such report on or before December 1 of each year the commission
7 is continued the status of its activities on or before August 1, 2012,
8 September 15, 2012, and November 1, 2012. The commission shall complete
9 the statewide strategic plan required pursuant to section 43-4204 and
10 provide a written report to the Health and Human Services Committee of
11 the Legislature and the Governor on or before December 15, 2012.

12 Sec. 3. Original sections 43-4202 and 43-4207, Revised Statutes
13 Cumulative Supplement, 2014, are repealed.