

LEGISLATIVE BILL 732

Approved by the Governor March 21, 1978

Introduced by S. Marsh, 29

AN ACT to amend section 43-905, Revised Statutes Supplement, 1977, relating to infants; to provide services to persons over the age of majority as prescribed; and to repeal the original section.

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

Section 1. That section 43-905, Revised Statutes Supplement, 1977, be amended to read as follows:

43-905. (1) The Department of Public Welfare shall be the legal guardian of all children committed to it. The department shall afford temporary care and shall use special diligence to provide suitable homes for such children. The department is authorized to place such children in suitable families for adoption or, in the discretion of the department, on a written contract.

(2) The contract shall provide (a) for the children's education in the public schools or otherwise, (b) for teaching them some useful occupation, and (c) for kind and proper treatment as members of the family where they are placed.

(3) Whenever any child who has been committed to the Nebraska Center for Children and Youth or the Department of Public Welfare becomes self-supporting, the director shall declare that fact and the guardianship of the department shall cease. Thereafter the child shall be entitled to his or her own earnings. Guardianship of, and services by, the Department of Public Welfare shall never extend beyond the age of majority except that services by the department to a child shall continue until the child reaches the age of twenty-one if the child is a student regularly attending a school, college, or university, or regularly attending a course of vocational or technical training designed to prepare such child for gainful employment.

(4) Whenever the parents of any ward, whose parental rights have not been terminated, have become able to support and educate their child, the department shall restore the child to its parents, if the home of such parents would be a suitable home. The guardianship of the department shall then cease.

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(5) Whenever permanent free homes for the children cannot be obtained, the department shall have the authority to provide and pay for the maintenance of the children in private families, boarding homes, or institutions for care of children.

Sec. 2. That original section 43-905, Revised Statutes Supplement, 1977, is repealed.