

LEGISLATIVE BILL 679

Approved by the Governor May 29, 2009

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

FOR AN ACT relating to the State Foster Care Review Board; to amend section 43-1302, Reissue Revised Statutes of Nebraska; to require certain disclosure from potential board members as prescribed; to eliminate obsolete provisions; and to repeal the original section.

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

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

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

~~(b)~~ On and after January 1, 2006, the (1) The State Foster Care Review Board shall be comprised of eleven members appointed by the Governor with the approval of a majority of the members elected to the Legislature, consisting of: Three members of local foster care review boards, one from each congressional district; one practitioner of pediatric medicine, licensed under the Uniform Credentialing Act; one practitioner of child clinical psychology, licensed under the Uniform Credentialing Act; one social worker certified under the Uniform Credentialing Act, with expertise in the area of child welfare; one attorney who is or has been a guardian ad litem; one representative of a statewide child advocacy group; one director of a child advocacy center; one director of a court appointed special advocate program; and one member of the public who has a background in business or finance. Prior to appointment, each potential member shall disclose any and all funding he or she or his or her employer receives from the Department of Health and Human Services.

The terms of members appointed pursuant to this ~~subdivision~~ subsection shall be three years, except that of the initial members of the state board, one-third shall be appointed for terms of one year, one-third for terms of two years, and one-third for terms of three years, as determined by the Governor. No person appointed by the Governor to the state board shall serve more than two consecutive three-year terms. An appointee to a vacancy occurring from an unexpired term shall serve out the term of his or her predecessor. Members whose terms have expired shall continue to serve until their successors have been appointed and qualified. Members serving on the state board on December 31, 2005, shall continue in office until the members appointed under this ~~subdivision~~ subsection take office. The members of the state board shall, to the extent possible, represent the three congressional districts equally.

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

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