

LEGISLATIVE BILL 87

Approved by the Governor March 05, 2015

Introduced by Campbell, 25.

A BILL FOR AN ACT relating to the Nebraska Children's Commission; to amend sections 43-4202 and 43-4207, Revised Statutes Cumulative Supplement, 2014; to change membership on the commission; to change and eliminate reporting requirements; and to repeal the original sections.
Be it enacted by the people of the State of Nebraska,

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

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

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

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

(b) Seventeen members appointed by the Governor. The members appointed pursuant to this subdivision shall represent stakeholders in the child welfare system and shall include: (i) A director of a child advocacy center; (ii) an administrator of a behavioral health region established pursuant to section 71-807; (iii) a community representative from each of the service areas designated pursuant to section 81-3116. In the eastern service area designated pursuant to such section, the representative may be from a lead agency of a pilot project established under section 68-1212 or a collaborative member; (iv) a prosecuting attorney who practices in juvenile court; (v) a guardian ad litem; (vi) a biological parent currently or previously involved in the child welfare system; (vii) a foster parent; (viii) a court appointed special advocate volunteer; (ix) a member of a local foster care review board; (x) a child welfare service agency that directly provides a wide range of child welfare services and is not a member of a lead agency collaborative; (xi) a young adult previously in foster care; (xii) a representative of a child advocacy organization that deals with legal and policy issues that include child welfare; and (xiii) a representative of a federally recognized Indian tribe residing within the State of Nebraska and appointed within thirty days after June 5, 2013, from a list of three nominees submitted by the Commission on Indian Affairs.

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

(4) The commission shall meet within sixty days after April 12, 2012, and shall select from among its members a chairperson and vice-chairperson and conduct any other business necessary to the organization of the commission. The commission shall meet not less often than once every three months, and meetings of the commission may be held at any time on the call of the chairperson. The commission may hire staff to carry out the responsibilities of the commission. For administrative purposes, the offices of the staff of the commission shall be located in the Foster Care Review Office. The commission shall hire a consultant with experience in facilitating strategic planning to provide neutral, independent assistance in developing the statewide strategic plan. The commission shall terminate on June 30, 2016, unless continued by the Legislature.

(5) The commission, with assistance from the executive director of the

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

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

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

~~43-4207 The Nebraska Children's Commission shall provide a written report to the Governor and an electronic report to the Health and Human Services Committee of the Legislature of its activities during the previous year to the Health and Human Services Committee of the Legislature on or before December 1, 2015. If the commission is continued by the Legislature as provided in section 43-4202, the commission shall provide such report on or before December 1 of each year the commission is continued the status of its activities on or before August 1, 2012, September 15, 2012, and November 1, 2012. The commission shall complete the statewide strategic plan required pursuant to section 43-4204 and provide a written report to the Health and Human Services Committee of the Legislature and the Governor on or before December 15, 2012.~~

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