

PRESIDENT: Senator Warner.

SENATOR WARNER: Mr. President, I move the adoption of the motion. Again as I read the Governor's letter here, the emphasis seems to be that the use of the approach that is proposed in 756 with the Legislature's establishing by statute broad policy as guidelines for the institutions of higher education in the Governor's opinion can more appropriately be done by a Executive Agency. I would remind you as we have worked on this for four years and one of the decisions we made early that an advisory coordinating commission cannot under our Constitution be effective because we could not delegate any of the authority that the regents or Board of Trustees have to another Executive Agency. The body that exists under our Constitution that can have any impact at all in a bringing about effective coordination is the Legislative Body. We also recognized within the act the limitations of the Supreme Court decision of about a year ago in which we indicated very clearly that the guidelines here pertained only to the use of general fund money and those funds authorized by law to be collected and any limitations contained in the act only affected that use of general funds. Again, if you read the opinion, it was indicated in the opinion itself that the Legislature had unrestricted authority over the use of the limitation of general fund monies by any of the institutions of higher learning. One sentence bothers me particularly. It indicates the state colleges are again to become teacher colleges. That is absolutely untrue. If you read the existing statutes and they have been on the books since the first state college was established in Peru and they are still in effect today having been amended to some extent over the years from time to time, but if you read existing statutes, it states teachers colleges as their prime emphasis. 756 broadens the scope of the teachers colleges so that, or the state colleges rather, so that they have the authority, the legal authority, for a full range of undergraduate programs. Essentially in many cases exactly what they are doing but is legalized by law rather than in some instances as a matter of fact, not in law. The other emphasis of this bill is that it was intended and designed and does provide reasonable access for quality education at a acceptable cost to both the students and for the taxpayers throughout the state. It's the principal emphasis. Besides restrictions, its principal emphasis is on requiring cooperative efforts between the various systems, the three systems we have, so that rather than each going their own way attempting to duplicate programs independent of one another, that programs which have limited need can be cooperatively offered resulting in savings to both the citizens and the students of this state and I would urge the body to override the veto.

PRESIDENT: Are there five seconds? Yours is the only light that is on, Senator Lewis. Let's turn the light off. All right, the question is shall LB 756 become law notwithstanding the objection of the Governor. Record your vote. Have you voted? Have you all voted? Record.

CLERK: (Read record vote found on page 2198 of the Journal.)  
31 ayes, 8 nays, 3 excused and not voting, 7 present and not voting, Mr. President.

PRESIDENT: LB 756 passes notwithstanding the objections of the Governor. Do you have any others?