

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 211

Introduced by Adams, 24.

Read first time January 15, 2013

Committee: Education

A BILL

1 FOR AN ACT relating to community colleges; to amend sections 85-1502
2 and 85-1539, Revised Statutes Cumulative Supplement,
3 2012; to change and eliminate provisions relating to
4 statewide coordination of boards; to provide a duty
5 relating to membership on a committee as prescribed; and
6 to repeal the original sections.

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

1 Section 1. Section 85-1502, Revised Statutes Cumulative
2 Supplement, 2012, is amended to read:

3 85-1502 (1) It is the intent of the Legislature that a
4 clear distinction between area governance and statewide coordination
5 for the community college areas be recognized and that such
6 coordination is appropriate in order to provide the most cost-
7 effective programs for residents of each community college area. It
8 is further the intent of the Legislature that coordination of the
9 community colleges by the Coordinating Commission for Postsecondary
10 Education be conducted as provided in Article VII, section 14, of the
11 Constitution of Nebraska and the Coordinating Commission for
12 Postsecondary Education Act. It is further the intent of the
13 Legislature that such coordination not be conducted through a board
14 or association representing all the community colleges and that
15 membership in any boards or associations of community colleges be
16 voluntary. ~~through an association of the boards.~~

17 (2) The board of governors of any community college area
18 may pay from college funds an amount to be determined by the board of
19 governors for membership in boards or associations of community
20 colleges.

21 ~~(2) Through June 30, 2011, all of the boards shall be a~~
22 ~~part of and shall be represented by such association. Coordination~~
23 ~~services provided by such association shall include (a) preparation~~
24 ~~of a system strategic plan, (b) coordination of the budget request~~
25 ~~for the biennium, (c) facilitation of program needs assessment and~~

1 articulation, ~~(d) recommendation and facilitation of the appointment~~
2 ~~of representatives to committees, boards, commissions, task forces,~~
3 ~~and any other state level bodies requesting or requiring~~
4 ~~participation from the community college system, and (e) facilitation~~
5 ~~of responses to data and information requests for the system.~~

6 ~~(3) All activities conducted pursuant to this section by~~
7 ~~such association shall be conducted in accordance with the Open~~
8 ~~Meetings Act.~~

9 ~~(4)-(3)~~ Nothing in this section shall be construed to
10 require or provide for state control of the operations of any
11 community college area or to abridge the governance ability, rights,
12 or responsibilities of any board. Nothing in this section shall be
13 construed to limit the ability or authority of the commission to
14 fulfill its responsibilities and duties regarding the individual
15 community college areas and the individual community college area
16 campuses.

17 Sec. 2. Section 85-1539, Revised Statutes Cumulative
18 Supplement, 2012, is amended to read:

19 85-1539 There is hereby created the Nebraska Community
20 College Student Performance and Occupational Education Grant
21 Committee. The committee shall consist of (1) a representative of the
22 Coordinating Commission for Postsecondary Education who shall serve
23 as chairperson of the committee, (2) a representative of the
24 Department of Economic Development, (3) a representative of the
25 Department of Labor, (4) a representative of the State Department of

1 Education, (5) a representative affiliated with one of the two
2 community college areas with the two smallest full-time equivalent
3 student enrollment totals for the most recent fiscal year, (6) a
4 representative affiliated with one of the two community college areas
5 with the two largest full-time equivalent student enrollment totals
6 for the most recent fiscal year, and (7) a representative affiliated
7 with one of the two community college areas not included in the
8 categories provided in subdivisions (5) and (6) of this section. Each
9 member shall be appointed by the agency or community college areas
10 being represented. The representatives appointed pursuant to
11 subdivisions (5) through (7) of this section shall serve terms of two
12 years and shall be succeeded by a representative affiliated with the
13 community college areas not represented for the preceding term.

14 The committee shall develop guidelines for and annually
15 determine the allocation of the Nebraska Community College Student
16 Performance and Occupational Education Grant Fund and any other funds
17 appropriated to Program 99 in Agency 83, Aid to Community Colleges,
18 pursuant to this section and section 85-1540. The total amount
19 allocated for a fiscal year shall not exceed the amounts appropriated
20 from the fund and such other funds as may be appropriated by the
21 Legislature for such fiscal year. The commission shall certify the
22 allocation determined by the committee on or before September 10 of
23 the fiscal year for which such allocation is being certified and
24 shall report such allocation to the Department of Administrative
25 Services. The department shall distribute the total of such

1 appropriated and allocated funds to the selected community college
2 board or boards in a single payment between the fifth and twentieth
3 day of October of the fiscal year for which such allocation is
4 certified.

5 Sec. 3. Original sections 85-1502 and 85-1539, Revised
6 Statutes Cumulative Supplement, 2012, are repealed.