

LEGISLATIVE BILL 887

Approved by the Governor April 18, 2022

Introduced by Slama, 1.

A BILL FOR AN ACT relating to state colleges; to amend sections 85-302, 85-304, 85-304.03, 85-305, 85-306, 85-307, 85-308.01, 85-951, and 85-957, Reissue Revised Statutes of Nebraska, and sections 85-301 and 85-308, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to expenses and officers for the Board of Trustees of the Nebraska State Colleges; to update terminology; to eliminate references to sections not applicable to state colleges; to change provisions relating to meetings; to eliminate a fee; to change provisions relating to conferring degrees; to change provisions relating to the authorization for master's programs; to eliminate duties; to eliminate provisions relating to morals and prohibiting religious tests; to harmonize provisions; to repeal the original sections; and to outright repeal sections 85-303, 85-311, 85-312, and 85-954, Reissue Revised Statutes of Nebraska.

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

Section 1. Section 85-301, Revised Statutes Cumulative Supplement, 2020, is amended to read:

85-301 The existing institutions known as the state colleges located at Chadron, Peru, and Wayne shall hereafter be known and designated as Chadron State College, Peru State College, and Wayne State College, respectively. The general government thereof shall be vested, under the direction of the Legislature, in a board of seven members, to be known as the Board of Trustees of the Nebraska State Colleges, six of whom shall be appointed by the Governor, with the advice and consent of the Legislature, two each for terms of two, four, and six years and two each biennium thereafter for terms of six years, and the Commissioner of Education shall be a member ex officio. The duties and powers of the board shall be prescribed by law, and the members thereof shall receive no compensation for the performance of their duties but may be reimbursed for actual expenses incurred therein, ~~except that members of the Board of Trustees of the Nebraska State Colleges shall not be entitled to reimbursement for mileage or other traveling expense as part of such expenses except on the basis provided for in sections 81-1174 to 81-1177.~~

Sec. 2. Section 85-302, Reissue Revised Statutes of Nebraska, is amended to read:

85-302 The members of the Board of Trustees of the Nebraska State Colleges shall annually elect a president and vice president from among their own number. The board shall constitute a body corporate to be known as the Board of Trustees of the Nebraska State Colleges, and as such may sue and be sued, and may make and use a common seal and alter the same at its pleasure. The board shall also select a secretary who shall keep an exact and detailed account of the activities of the board. The State Treasurer shall be treasurer of the board by virtue of the his or her office. A complete and comprehensive annual audit shall be made of the books, accounts, funds, records, and affairs of the board and each of the state colleges.

Sec. 3. Section 85-304, Reissue Revised Statutes of Nebraska, is amended to read:

85-304 (1) The Board of Trustees of the Nebraska State Colleges board shall have the power:

(a) ~~(1)~~ To appoint a president and such other persons as may be required for each state college school;

(b) ~~(2)~~ To fix their compensation and prescribe their duties;

(c) ~~(3)~~ To remove all persons appointed, but the affirmative votes of four members of the board shall be necessary to remove a president or an assistant during the time for which such persons were appointed;

(d) ~~(4)~~ Through an extension division, to provide for holding of classes at various localities throughout the state, avoiding unnecessary duplication of courses offered by other educational institutions in such localities;

(e) ~~(5)~~ To acquire real and personal property and dispose of the same whenever any of the state colleges will be benefited thereby, but no grounds upon which any buildings of any of the state colleges are located shall be disposed of without the consent of the Legislature;

(f) ~~(6)~~ To pay expenses for recruitment of academic, administrative, professional, and managerial personnel; and

(g) ~~(7)~~ To provide benefits for all present and future employees, including group life insurance, group hospital-medical insurance, and group long-term disability income insurance. ~~;~~ ~~and~~

(2) The board shall have the duty:

(a) ~~To (8)~~ ~~Shall have the duty to~~ institute a continuing program of preventive maintenance and a program of deferred maintenance consistent with the provisions of the Deferred Building Renewal Act sections 81-173 to 81-190; and

(b) ~~To (9)~~ ~~Shall have the duty to~~ consult with the Nebraska Arts Council and acquire works of art for the original construction of any public building

under its supervision consistent with sections 82-317 to 82-329, ~~85-106 to 85-106.03~~, and 85-304 to 85-304.03.

Sec. 4. Section 85-304.03, Reissue Revised Statutes of Nebraska, is amended to read:

85-304.03 The Board of Trustees of the Nebraska State Colleges shall inform the Director of Administrative Services that sections 82-317 to 82-329, ~~85-106 to 85-106.03~~, and 85-304 to 85-304.03 have been complied with for projects under its supervision before a warrant may be issued for payment.

Sec. 5. Section 85-305, Reissue Revised Statutes of Nebraska, is amended to read:

85-305 The Board of Trustees of the Nebraska State Colleges ~~board~~ shall hold ~~each year a regular meetings meeting at or near the close of each semester,~~ and such special meetings as may be found necessary.

Sec. 6. Section 85-306, Reissue Revised Statutes of Nebraska, is amended to read:

85-306 The president of each state college school shall be the chief executive officer thereof and shall be responsible to the Board of Trustees of the Nebraska State Colleges ~~board~~ for the control and management of the same. All faculty teachers and other employees of subordinates ~~in~~ each state college shall be under the direction of the president thereof, subject to the general regulations of the board.

Sec. 7. Section 85-307, Reissue Revised Statutes of Nebraska, is amended to read:

85-307 The president of each state college shall receive and collect the fees for matriculation, board and ~~,~~ room and such other fees as may be payable to at such state college school, and shall disburse the same under direction of the Board of Trustees of the Nebraska State Colleges ~~board~~ and according to law.

Sec. 8. Section 85-308, Revised Statutes Cumulative Supplement, 2020, is amended to read:

85-308 The purpose of the state colleges is the training and instruction of persons, ~~both male and female~~, in the arts of teaching and managing schools, the principles and practice of the various branches of learning taught in our public schools, and the arts and sciences generally. The Board of Trustees of the Nebraska State Colleges shall have power to prescribe, for the state colleges, such courses of instruction as will best fit such persons for teaching and managing the public schools, and their instruction in the arts and sciences generally as provided in sections ~~85-194, 85-308 and , 85-606.01,~~ 85-917 to 85-966, ~~and 85-1511.~~

Sec. 9. Section 85-308.01, Reissue Revised Statutes of Nebraska, is amended to read:

85-308.01 The Board of Trustees of the Nebraska State Colleges ~~board~~ shall have power, ~~on the recommendation of the faculty of the respective college,~~ to confer, upon completion of a four-year course in liberal arts prescribed by such board, a degree of bachelor of arts or bachelor of science.

Sec. 10. Section 85-951, Reissue Revised Statutes of Nebraska, is amended to read:

85-951 The state colleges, collectively and individually, shall have as their first instructional priority the provision of baccalaureate general academic, baccalaureate occupational, and baccalaureate professional degree programs in education. The colleges' second instructional priority shall be master's programs in education and other areas authorized by the Coordinating Commission for Postsecondary Education pursuant to sections 85-1413 and 85-1414 ~~Legislature.~~ Such colleges' third priority shall be the continuation and development of applied research and public service activities. The colleges' fourth priority shall be the awarding of the specialist degree in education.

Sec. 11. Section 85-957, Reissue Revised Statutes of Nebraska, is amended to read:

85-957 Peru State College may maintain its existing baccalaureate general academic, baccalaureate occupational, and baccalaureate professional degree programs and shall limit new baccalaureate degree programs to the needs of its unique service area generally defined as the state's southeast region. Subject to approval by the Board of Trustees of the Nebraska State Colleges, Peru State College may offer other master's degree programs upon demonstration of a compelling need in disciplines in which it has a demonstrated capacity as authorized and approved by the Coordinating Commission for Postsecondary Education pursuant to sections 85-1413 and 85-1414 ~~Peru's cooperative master's degree program in education with the university may be maintained. Subject to approval by the Board of Trustees of the Nebraska State Colleges, Peru State College may offer a Master of Science degree in organizational management with a focus in entrepreneurial and economic development.~~

Sec. 12. Original sections 85-302, 85-304, 85-304.03, 85-305, 85-306, 85-307, 85-308.01, 85-951, and 85-957, Reissue Revised Statutes of Nebraska, and sections 85-301 and 85-308, Revised Statutes Cumulative Supplement, 2020, are repealed.

Sec. 13. The following sections are outright repealed: Sections 85-303, 85-311, 85-312, and 85-954, Reissue Revised Statutes of Nebraska.