

April 4, 1990

LB 1141
LR 239

SENATOR LANDIS: Yes, Mr. Speaker, members of the Legislature. I'm looking at a portion of the amendment, and I'm interested in understanding how it's...what it's to mean and how it's to apply. I, too, have nothing on the face of this that strikes me as negative. I think there is a lot of merit here, and that's why I'm searching for meaning. And, Senator Warner, I'll be asking for a moment...in a moment about the question for these lines in the bill, 16 through 20. It says in the first part of this effective section it says that the Coordinating Commission shall be vested with the authority for the coordination of all public postsecondary education institutions. So, it says we're handing over to the Coordinating Commission the power to coordinate. The bill then goes on to define coordination, and that is coordination shall mean, but not be limited to, coordination of programs and academic activities, planning, budget submission, capital construction, and as prescribed by law other certain administrative functions. Meaning, I suppose, that we could then change and add to their responsibilities by legislation, as prescribed by law. We might be able to hand them more common administrative functions. The question I'm asking is this, line 16 defines coordination as, line 17, coordination. Coordination is coordination. Can you tell me, Senator Warner, what that sentence means and how you envision that applying?

SENATOR WARNER: It's essentially similar language as is in LR 239. I offered an amendment, a few days ago, that added similar language into 239, because the issue had been raised, and properly so, that the word "coordination", which we all use very freely as if we know what that is, there apparently is, in fact, no constitutional, traditionally accepted, legal, long-standing definition of the word "coordination". And in an attempt to give meaning to what coordination is included...it includes, and to make sure that it was constitutionally based authority, which a budget review of program approval, program review, those kinds of things, that is to give meaning to the word "coordination" beyond which was available otherwise, and as prescribed by law is exactly what is from the same current Constitution covering both the university and the state colleges, the Legislature is authorized to give duties as prescribed by law. And we can give duties, but we can't go in and operate the institutions.

SENATOR LANDIS: Okay, so in other words, when we look at budget