

April 9, 1990

LB 1141
LR 239

implemented. The intent of the constitutional amendment one point-by-point; (1) intent that the Coordinating Commission would have equal constitutional status as the Board of Regents and the state colleges in that the Legislature could not diminish their constitutionally-granted powers. The Coordinating Commission's authorities would extend to all public postsecondary institutions--currently the university, state colleges, and the tech colleges. The Coordinating Commission would have three basic authorities, planning, programs, and budget. Planning shall at least include role and mission within any general assignments that the Legislature may prescribe and facilities planning. The facilities included are those tax-funded facilities which the Legislature may prescribe, that is, the Legislature may designate only state tax-funded facilities, thus excluding property tax-funded facilities. This would exclude then nontax-funded facilities, such as revenue bonds, and gifts. Secondly, program approval authority would include authority to approve and disapprove any programs including nontax-supported programs, and capital construction facilities. As in LB 1141, the institutions must get this approval before offering any programs, even if it receives funding for the program. As in LB 1141, as it originally was introduced, this authority definitely extends to existing programs, so that the commission has authority to disapprove and thus terminate an existing program. It is the intent of the Legislature that implementing legislation would also provide enforcement of these decisions, such as through DAS refusal to issue warrants, or if necessary, additional authority for court orders to prevent implementation of a disapproved program. Budget submission authority would include the authority to modify the budget requests of the governing boards, and the Legislature could provide for presentation by the commission of a unified presentation of budgets for all public postsecondary institutions. Again, it was similar to the process outlined in LB 1141, originally. The Legislature could provide the Coordinating Commission with additional powers which do not otherwise invade the constitutional authority of the Regents and Trustees...

PRESIDENT: One minute.

SENATOR WARNER: ...to govern their institutions. Examples of such powers could include administration of financial aid programs, collection of data, and the conduct of studies. LR 239 and LB 1141 provide the powers and duties of a