

LEGISLATIVE BILL 756

Passed over the Governor's veto April 19, 1978

Introduced by Appropriations Committee, Warner, 25, Chmn.; Bereuter, 24; Cope, 36; Rumery, 42; Savage, 10; Hasebroock, 18; Goodrich, 20; S. Marsh, 29; Cullan, 49; F. Lewis, 45; Murphy, 17

AN ACT relating to postsecondary education; to provide legislative intent; to define terms; to provide role and mission assignments for the University of Nebraska, state colleges, and technical community colleges as prescribed; to provide duties of the Legislature; to amend sections 79-1422, 79-1429, 85-194, 85-195, and 85-308, Reissue Revised Statutes of Nebraska, 1943, and section 79-2644, Revised Statutes Supplement, 1977; to provide for severability; to repeal the original sections, and also Chapter 14, article 13, and section 71-1,132.43, Reissue Revised Statutes of Nebraska, 1943; and to declare an emergency.
Be it enacted by the people of the State of Nebraska,

Section 1. The Legislature hereby declares that it is the intent and purpose of this act to provide statements of role and mission for the state's systems and institutions of postsecondary education which will:

- (1) Provide for a coordinated state system of postsecondary education;
- (2) Provide for the maintenance and development of quality postsecondary educational programs and services for all citizens in all regions of the state;
- (3) Insure student and community access to comprehensive educational programs;
- (4) Limit unnecessary program and facility duplication through a coordinated planning and review process;
- (5) Encourage statewide long-term academic and fiscal planning for postsecondary education in the state; and
- (6) Establish a legislative review process to insure that (a) role and mission statements are updated

as necessary and (b) postsecondary institutions are complying with role and mission assignments.

Sec. 2. For purposes of this act, unless the context otherwise requires, the definitions found in sections 3 to 16 of this act shall be used.

Sec. 3. Instructional activities shall mean those degree credit and nondegree credit courses and programs delivered to complete specific degree and nondegree learner objectives.

Sec. 4. Research activities shall mean those activities intended to create new knowledge or provide for the application of existing or newly created knowledge. Research activities may be carried out in conjunction with a system or area's instructional program or as a separately identifiable activity.

Sec. 5. Public service activities shall mean those programs established to make available to the public the particular resources of a system, area, or institution for the purpose of responding to a statewide, regional, or community need. Within this category may be included the following activities:

(1) Direct patient care; (2) health care supportive services; (3) community services; (4) cooperative agricultural extension; (5) public broadcasting services; and (6) cultural and recreational activities. Adult, basic, and continuing education programs or services shall not be included in the subcategory of community services.

Sec. 6. Program responsibility shall mean a system, area, or institution having designated statewide or regional administrative, planning, and academic responsibility for a general or specific program area.

Sec. 7. Cooperative program delivery shall mean the provision for two or more systems, areas, or institutions to participate in the planning or delivery of a program or service in a specific or general area; with one system, area, or institution having administrative and academic responsibility for the program.

Sec. 8. Regional program responsibility shall mean an identifiable geographic area for service delivery by a system, area, or institution. The intrastate or interstate area or region serves as the base for justifying existing and proposed new or expanded program responsibilities.

Sec. 9. Comprehensive degree offerings shall mean the awarding by a system, area, or institution of degrees, including but not limited to associate, bachelor's, master's, specialist, or doctorate, in a variety of academic or vocational program areas.

Sec. 10. General academic transfer programs shall mean those one or two-year degree credit programs, at the associate degree level or below, intended by the offering institution for transfer into a baccalaureate program. Programs in this category may include the award of a formal degree upon completion of the program.

Sec. 11. Vocational-technical programs shall mean those instructional programs, at the associate degree level or below, intended to prepare individuals for immediate entry into a specific occupation or career. The primary intent of the institutions offering vocational-technical programs shall be that such programs are terminal programs. Programs in this category may include the award of a formal degree, diploma, or certificate upon completion of the program.

Sec. 12. Baccalaureate general academic shall mean those degree programs intended by an institution to prepare an individual to function in a variety of different career areas or to prepare such individual for further academic study. Programs at this level shall allow an individual to acquire a general education at the baccalaureate level in arts, sciences, and humanities.

Sec. 13. Baccalaureate occupational shall mean those degree programs intended by an institution to prepare an individual for a specific occupation or career. Such programs include but are not limited to: (1) Agriculture and natural resources; (2) communications; (3) business and management; (4) computer and information sciences; (5) home economics; (6) fine and applied arts; and (7) specific areas in the social sciences.

Sec. 14. Baccalaureate professional shall mean those degree programs intended by an institution to prepare an individual for certification or licensure by a national, regional, or state level certifying or licensing agency. Such programs include but are not limited to: (1) Engineering; (2) education; (3) allied health professions; (4) nursing; and (5) architecture.

Sec. 15. Graduate degree programs shall mean those programs for which the following degrees are awarded:

(1) First professional degree being the first earned degree in the following fields: (a) Dentistry; (b) medicine, general; (c) optometry; (d) osteopathic medicine; (e) pharmacy; (f) podiatry; (g) veterinary medicine; (h) chiropractic; (i) law, general; and (j) theology, general;

(2) Master's degree being the earned degree carrying the title Master. The master's degree is the first advanced graduate degree conferred in professional programs and general academic and occupational programs.

Master's degree professional programs include but are not limited to: (a) Engineering; (b) education; (c) allied health professions; (d) nursing; (e) architecture; (f) community and regional planning; (g) dentistry; (h) medicine, specialties; (i) optometry; (j) osteopathic medicine; (k) pharmacy; (l) podiatry; (m) social work; (n) veterinary medicine; (o) chiropractic; (p) law, specialties; and (q) theology, specialties.

Master's degree programs in general academic and occupational areas include but are not limited to: (a) Mathematics; (b) languages; (c) biological and physical sciences; (d) letters; (e) fine arts; (f) social sciences; (g) agriculture and natural resources; (h) communications; (i) business and management; (j) computer and information sciences; (k) home economics; and (l) fine and applied arts; and

(3) Doctoral degree being an earned academic degree conveying the title of Doctor. Doctoral degrees include but are not limited to: Doctor of Philosophy; Doctor of Education; and Doctor of Arts.

Sec. 16. Continuing education for occupations and professions shall mean training or education that is not a part of a terminal degree or certificate program, but is related to an individual's existing or proposed area of occupation or profession.

Sec. 17. No funds generated or received from a General Fund appropriation, state aid assistance program, or receipts from a mill levy authorized by statute shall be expended in support of programs or activities which are in conflict with the role and mission assignments applicable to the University of Nebraska, state colleges, or technical community colleges under this act.

Sec. 18. All direct costs of nondegree recreational and avocational courses shall, on the average, be self-supporting through student tuition and fee charges or designated grants or contracts by July 1,

1979. This section shall not apply to the Cooperative Extension Service of the University of Nebraska.

Sec. 19. The role and mission assignments enumerated in sections 20 to 32 of this act shall apply to the University of Nebraska system and its campuses. Such assignments shall prohibit, limit, or restrict only those programs or services provided for under such sections. The Board of Regents of the University of Nebraska shall adopt and promulgate policies and procedures necessary to assure compliance with this act.

Sec. 20. The University of Nebraska shall have statewide responsibility for public service activities.

Sec. 21. The University of Nebraska shall have sole responsibility for doctoral, first professional, cooperative agricultural extension programs, and other degree programs and services specifically provided for by law. The first professional degrees, as defined in the Higher Education General Information Survey, offered by the University of Nebraska shall be medicine, law, dentistry, and pharmacy.

Sec. 22. The University of Nebraska is encouraged to maintain its existing single university-wide graduate college and maintain for its graduate faculty all rights, privileges, and responsibilities associated with graduate faculty status.

Sec. 23. The University of Nebraska shall have statewide responsibility for continuing education services at the baccalaureate, graduate, and professional levels.

Sec. 24. To encourage the development and delivery of new cooperative graduate degree programs between the University of Nebraska and state college systems:

(1) When one or both boards perceive the need for a new cooperative graduate program which is not authorized under this act, the boards shall advise one another of the need for a new graduate program;

(2) Utilizing existing resources, the boards may jointly authorize and carry out a needs assessment study for the new cooperative graduate program. Such study shall include: Manpower and student demand needs justifying the program and multiple year personnel, operating costs, and facility needs;

(3) If the boards determine the new cooperative graduate program is needed, based on the assessment study, the boards may include in the budget request for their system for the next fiscal period a separate new program request for the proposed graduate program; and

(4) The boards are directed to carry out the provisions of this section with respect to a cooperative graduate program in business administration at Kearney State College. The boards are authorized to submit their findings as a special budget request prior to November 15, 1978.

Sec. 25. The University of Nebraska shall have sole responsibility for all graduate programs at the specialist and master's degree level and all baccalaureate professional programs throughout the public sector of postsecondary education in Nebraska; with the exception of programs in education at the four state colleges. The University of Nebraska shall have primary responsibility for instruction in agriculture and natural resources and primary statewide responsibility for research and public service in agriculture and natural resources. All baccalaureate and baccalaureate transfer programs in agriculture and natural resources initiated after July 1, 1978, at state colleges and technical community colleges, shall be conducted in cooperation with the University of Nebraska.

Sec. 26. It is recognized that as the state's land grant institution the University of Nebraska is engaged in instruction, research, and public service, and that these three parts of the university's mission are interdependent. However, when viewed in its entirety, the university's first priority shall be undergraduate instruction, the university's second priority shall be graduate and professional instruction and research, and the university's third priority shall be public service.

Sec. 27. The University of Nebraska may continue to offer the associate degree, diploma, and certificate-in-course in agriculturally-related fields, nursing, radiologic technology, radiation therapy, nuclear medicine technology, and engineering technology. The University of Nebraska shall not offer associate degrees or less than associate-degree-level diplomas or certificates-in-course after September 1, 1980, in other than designated programs.

Sec. 28. The University of Nebraska's programs in the health professions shall serve the health care needs of the State of Nebraska. The University of Nebraska, in cooperation with state and regional health

planning agencies, shall conduct a continuing study of the state's health care needs and adjust program services to reflect changing conditions. The University of Nebraska's health professions programs shall have as their first priority the training of physicians, dentists, nurses, pharmacists, and allied health professionals. Special emphasis and priority shall be placed on education and training of physicians for the primary care specialities of: (1) Family practice; (2) internal medicine; (3) pediatrics; and (4) obstetrics-gynecology. The second priority in the health professions programs shall be the provision of continuing education services for the health professions. The third priority for the health professions programs shall be research and public services in those areas related to the health professions.

Sec. 29. The University of Nebraska at Omaha shall continue to be the primary unit within the University of Nebraska for urban oriented programs. There shall be no duplication of administrative responsibility for any urban oriented program among units of the university.

Sec. 30. The University of Nebraska-Lincoln shall continue to be the primary unit within the University of Nebraska for doctoral and postdoctoral programs except in health-related disciplines. There shall be no duplication of administrative responsibility for any doctoral or postdoctoral program among units of the University.

Sec. 31. The University of Nebraska Medical Center shall continue to be the primary unit within the University of Nebraska for programs in the health-related disciplines. There shall be no duplication of administrative responsibility for any health-related program among units of the university.

Sec. 32. The University of Nebraska shall have sole responsibility for associate degree programs in nursing and for baccalaureate, first professional, master's, and doctoral programs in the health professions to include medicine, dentistry, pharmacy, nursing, and the allied health professions, with the exception of the baccalaureate nursing program at Kearney State College and baccalaureate programs in the allied health professions established at the state colleges prior to June 1, 1977. The University of Nebraska and the state colleges shall establish by July 1, 1978, a joint advisory committee to insure coordinated program development and delivery in nursing education and in the allied health professions. The state colleges may

develop new baccalaureate programs in the allied health professions in cooperation with the University of Nebraska.

Sec. 33. The role and mission assignments enumerated in sections 34 to 42 of this act shall apply to the state college system and its institutions. Such assignments shall prohibit, limit, or restrict only those programs or services provided for under such sections. The Board of Trustees of the Nebraska State Colleges shall adopt and promulgate policies and procedures necessary to assure compliance with this act.

Sec. 34. The state colleges shall have regional responsibility for public service and continuing education activities, except in areas where such colleges have the ability to provide a particular service on a statewide basis.

Sec. 35. 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. 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. 36. The state colleges may continue to deliver academic transfer and preprofessional associate degree programs for which a degree may be awarded. The state colleges shall not independently award the associate degree, diploma, or certificate for terminal vocational technical programs after September 1, 1980. The Board of Trustees shall submit for review and approval by the legislature, all associate degree programs to be offered pursuant to this section on or before November 15, 1978.

Sec. 37. The state colleges may continue to pursue and develop applied research programs related to their instructional and regional responsibilities.

Sec. 38. New master's degree programs shall be limited to those in education. The colleges are encouraged to develop master's level curriculum in educational technology and to explore innovative new areas for master's level instruction in the field of education. The state colleges may deliver, in cooperation with the University of Nebraska, graduate

courses in business to meet regional needs.

Sec. 39. Kearney 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 central region. Kearney State College shall not independently award the master's degree in business administration after September 1, 1980.

Sec. 40. Chadron 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 western region.

Sec. 41. 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. Peru's cooperative master's degree program in education with the university may be maintained.

Sec. 42. Wayne 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 northeast region.

Sec. 43. The role and mission assignments enumerated in sections 44 to 49 of this act shall apply to the technical community college system and its areas and campuses. Such assignments shall prohibit, limit, or restrict only those programs or services provided for under such sections.

Sec. 44. The technical community colleges shall be responsible for public service activities within each area.

Sec. 45. The technical community colleges shall have, except in specified program areas, sole responsibility for the award of associate degrees, diplomas, and certificates in less than baccalaureate degree program areas.

Sec. 46. The technical community college areas, individually and collectively, shall provide the following instructional and service priorities:

(1) Vocational technical programs and nondegree occupational education;

(2) General academic transfer degree programs at those campuses authorized for such programs; and

(3) Avocational and recreational courses.

Sec. 47. The technical community college areas may provide general academic transfer programs at the following campuses: Southeast Technical Community College Area at the Fairbury-Beatrice Campus; Central Technical Community College Area at the Columbus Campus; Mid-Plains Technical Community College Area at the McCook and North Platte Campuses; Northeast Technical Community College Area at the Norfolk Campus; and Western Technical Community College Area at the Scottsbluff Campus. The delivery of general academic transfer program services shall be limited to those areas and campuses specifically provided for. The Metropolitan Technical Community College Area shall cease to offer programs and award degrees for general academic transfer programs after September 1, 1980. The Metropolitan and Southeast Technical Community Colleges are encouraged to work in cooperation with the University of Nebraska for the provision of such academic transfer programs in the Lincoln and Omaha metropolitan areas.

Sec. 48. The technical community colleges may provide such academic course instruction as may be necessary to support vocational-technical and occupational programs.

Sec. 49. Any technical community college area or institution may contract to provide for the delivery of education programs within institutions operated by any state agency or within any geographic area administered by a federal agency or tribal authority.

Sec. 50. That section 79-1422, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-1422. It shall be the duty of the State Board of Vocational Education to adopt the policies to be followed in administering vocational education and--the Nebraska-Vocational-Technical-School; and to supervise the administration thereof by the assistant commissioner of education, who shall be in charge of vocational

education. The board is further authorized and empowered to cooperate, as provided and required by the acts of Congress specified in section 79-1419, with the United States Office of Education in the administration of the provisions of said acts, and to do all things necessary to entitle the state to receive the benefits thereof. The board is further empowered to do all acts and things and to make such rules and regulations as are necessary to properly carry out the aforesaid acts and the provisions of sections 79-1419 to 79-1435.

Sec. 51. That section 79-1429, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-1429. (1) The State Board of Vocational Education shall have all necessary authority to (1) cooperate with the boards, authorized by sections 79-1419 to 79-1435, to establish vocational schools, departments, or classes, (2) cooperate with the United States Office of Education in the administration of the acts of Congress as provided for by section 79-1419, and by the provisions of the Nebraska State Plan for Vocational Education, (3) administer the funds provided by the federal government under those acts and by the State of Nebraska, and by donations or contributions for the promotion of vocational education in the public schools of Nebraska, (4) appoint such officials and assistants as may be necessary to administer the federal acts and sections 79-1419 to 79-1435 for the State of Nebraska, (5) fix the compensation of such officials and to pay such compensation and other necessary expenses of administration from funds appropriated by the Legislature or available federal funds, (6) make studies and investigations relative to vocational education, (7) promote and aid in the establishment of vocational schools, departments, or classes in communities giving training in such subjects, and to cooperate with local boards in the maintenance of the same, (8) prescribe qualifications and have full authority to provide for the certification of teachers and supervisors of vocational and related subjects, (9) cooperate in the maintenance of classes supported and controlled by the public for the preparation of teachers and supervisors of vocational and related subjects or to maintain such classes under its own direction and control, and (10) establish and determine by general regulations the qualifications to be possessed by persons engaged in the training of vocational teachers.

(2) The State Board of Vocational Education shall not allow vocational education programs to be established under sections 79-1419 to 79-1423, 79-1428, 79-1429, and

79-1435, if such programs are inconsistent with this act.

Sec. 52. That section 79-2644, Revised Statutes Supplement, 1977, be amended to read as follows:

79-2644. In addition to any other powers and duties imposed upon the board by sections 79-2636 to 79-2662, each board shall be charged with the following powers, duties, and responsibilities:

(1) To have general supervision, control, and operation of each technical community college within its jurisdiction to insure compliance with this act;

(2) To develop and offer programs of vocational and technical education, academic courses which are supportive of the vocational and technical programs, and such other programs and courses as the needs of the area served may require. The board shall avoid unnecessary duplication of existing programs and courses in meeting the needs of the students and area;

(3) To employ, for a period to be fixed by the board, executive officers and members of the faculty and such other administrative officers and employees as may be necessary or appropriate and fix their salaries and duties;

(4) To construct, lease, purchase, purchase on contract, operate, equip, and maintain facilities and contract for services connected with the operation of the technical community college area as needs and interest demand;

(5) To cause an examination and comprehensive audit of the books, accounts, records, and affairs, including full-time equivalent student enrollment total as defined in sections 79-2636 to 79-2662, to be made annually covering the most recently completed fiscal year. Such examination and audit of the books, accounts, records, and affairs shall be completed and filed with the Auditor of Public Accounts and the Department of Administrative Services on or before October 15 of each year. The examination and audit of the full-time equivalent student enrollment total shall be completed and filed with the Auditor of Public Accounts and the Department of Administrative Services on or before August 15 of each year;

(6) To establish fees and charges for the facilities authorized by sections 79-2636 to 79-2662. Each board of a technical community college area may enter into agreements with owners of facilities to be

used for housing regarding the management, operation, and government of such facilities and may employ necessary employees to govern, manage, and operate such facilities;

(7) To receive such gifts, grants, conveyances, and bequests of real and personal property from public or private sources as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the technical community college programs as specified by law. Each board may sell, lease, exchange, invest, or expend such gifts, grants, conveyances, and bequests or the proceeds, rents, profits, and income therefrom according to the terms and conditions thereof and adopt regulations governing the receipt and expenditure of such proceeds, rents, profits, and income, except that acceptance of such gifts, grants, or conveyances shall not be conditioned on matching state or local funds;

(8) To prescribe the courses of study for any technical community college under its control, and publish such catalogs and bulletins as may be necessary;

(9) To grant to every student upon graduation or completion of a course of study a suitable diploma, associate degree, or certificate;

(10) To promulgate such rules and regulations and perform all other acts as the board may deem necessary or appropriate to the administration of the technical community college area. Such rules and regulations shall include but not be limited to rules and regulations relating to facilities, housing, scholarships, discipline, and pedestrian and vehicular traffic on property owned, operated, or maintained by the technical community college area;

(11) To employ, for a period to be fixed by the board, an executive officer for the technical community college area and, by written order filed in its office, delegate to such executive officer any of the powers and duties vested in or imposed upon it by sections 79-2636 to 79-2662. Such delegated powers and duties may be exercised in the name of the board;

(12) To acquire real property by eminent domain pursuant to Chapter 76, article 7;

(13) To acquire real and personal property and sell, convey, or lease such property whenever the technical community college area will be benefited thereby. The sale, conveyance, or lease of any real estate owned by a technical community college area shall

be effective only when authorized by an affirmative vote of at least two-thirds of all the members of the board;

(14) To enter into agreements for services, facilities, or equipment and for the presentation of courses for students when such agreements are deemed to be in the best interests of the education of the students involved;

(15) To invest, after proper consideration of the requirements for the availability of money, funds of the college in those types of securities set forth in subdivisions (1) to (10) of section 72-1246;

(16) To establish tuition rates for courses of instruction offered by each college within its area. Separate tuition rates shall be established for students who are nonresidents of the State of Nebraska;

(17) To establish a fiscal year for the area which conforms to the fiscal year of the state; and

(18) To exercise any other powers, duties, and responsibilities necessary to carry out the provisions of sections 79-2636 to 79-2662.

Sec. 53. That section 85-194, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

85-194. Chapter 85, articles 1, 4, and 5, relating to the state board and the University of Nebraska, shall be applicable to the University of Nebraska at Omaha except as modified or limited by provisions of sections 85-182 to 85-194. ~~and Chapter 47, article 43, shall remain in full force and effect except as in sections 85-182 to 85-194 modified.~~

Sec. 54. That section 85-195, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

85-195. The Board of Trustees of the Nebraska State Colleges, ~~the State Board of Technical Community Colleges or any~~ technical community college area board, and the Board of Regents of the University of Nebraska shall have the authority to purchase retirement annuity contracts for any or all of their employees at the direction of the state investment officer pursuant to sections 72-1237 to 72-1259 and may enter into contracts with their employees providing for the purchase of such retirement annuity contracts under the provisions of the Technical Amendments Act of 1958 to the Internal Revenue

Code, as amended. Such employment contracts may provide that the amounts contributed by the employer for such annuity contracts shall be the result of an agreement of the employee to take a reduction in salary or to forego an increase in salary, but only to the extent such amounts are earned by the employee after the agreement becomes effective. Such an agreement must be legally binding and irrevocable with respect to amounts earned while the agreement is in effect. The right of an employee to such an annuity contract is nonforfeitable, except for failure to pay future premiums. Such an annuity contract is nontransferable.

Sec. 55. That section 85-308, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

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 college, 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 this act.

Sec. 56. The Legislature acknowledges the provisions of sections 10 and 13 of Article VII of the Nebraska Constitution. The provisions of this act reflect the philosophy of the State of Nebraska and shall be acknowledged as such and implemented by the Board of Regents of the University of Nebraska and the Board of Trustees for the Nebraska State Colleges.

Sec. 57. The Legislative Performance and Audit Review Committee shall establish by June 30, 1979:

(1) A procedure for the review, updating, evaluation, and monitoring of the statutory role and mission assignments provided in this act; and

(2) File with the Executive Board of the Legislative Council by June 30, 1979, a report describing the information system and procedures established to carry out the provisions of this section.

Sec. 58. If any section in this act or any part of any section shall be declared invalid or unconstitutional, such declaration shall not affect the validity or constitutionality of the remaining portions

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thereof.

Sec. 59. That original sections 79-1422, 79-1429, 85-194, 85-195, and 85-308, Reissue Revised Statutes of Nebraska, 1943, and section 79-2644, Revised Statutes Supplement, 1977, and also Chapter 14, article 13, and section 71-1,132.43, Reissue Revised Statutes of Nebraska, 1943, are repealed.

Sec. 60. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.