

## LEGISLATIVE BILL 30

Approved by the Governor February 2, 1987

Introduced by Labeledz, 5, Chairperson, Executive Board

AN ACT relating to schools; to amend sections 79-1308.01 and 79-2644, Reissue Revised Statutes of Nebraska, 1943; to eliminate references to repealed provisions; to provide powers and duties; to authorize certain investments; and to repeal the original sections.

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

Section. 1. That section 79-1308.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-1308.01. The treasurer of any Class IV or V Any school district may by and with the consent of the board of education of such district invest the funds of the district in the classes of securities designated in subdivisions (1) to (4) and (8) to (10) of section 72-1246, as eligible for investment of funds by the state investment officer the nature of which individuals of prudence, discretion, and intelligence acquire or retain in dealing with the property of another. School districts of Classes I, II, III, and VI may invest in the classes of securities designated in subdivisions (1) to (4), (8), and (9) of section 72-1246, and also may invest in securities designated in subdivision (10) of section 72-1246 when such investment is approved by the state investment officer. Every treasurer school district having invested in such securities must shall deliver the same as funds of the office. The interest received on any investments authorized by this section shall be credited to the fund from which the money was taken to make the investment.

Sec. 2. That section 79-2644, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-2644. In addition to any other powers and duties imposed upon the technical community college system or its areas, campuses, or boards heard by sections 79-2636 to 79-2662 and 85-917 to 85-967 and any other provision of law, 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 and reimbursable educational unit totals as defined in section 79-2637, 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 and reimbursable educational unit totals 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 adopt and 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 these types of securities set forth in subdivisions (1) to (10) of section 72-1246 the nature of which individuals of prudence, discretion, and intelligence acquire or retain in dealing with the property of another;

(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. 3. That original sections 79-1308.01 and 79-2644, Reissue Revised Statutes of Nebraska, 1943, are repealed.