

LEGISLATIVE BILL 683

Approved by the Governor April 4, 1994

Introduced by Warner, 25

AN ACT relating to postsecondary education; to amend sections 85-931, 85-968, 85-970, and 85-1002, Reissue Revised Statutes of Nebraska, 1943, sections 85-180.14, 85-401, 85-402, 85-403, 85-404, 85-408, 85-937, 85-963, 85-969, 85-974, 85-975, 85-976, 85-979, 85-1005, 85-1008, 85-1402, 85-1405, 85-1409, 85-1414, 85-1415, 85-1419, and 85-1420, Revised Statutes Supplement, 1992, and sections 85-966, 85-1412, 85-1413, and 85-1416, Revised Statutes Supplement, 1993; to change provisions relating to the review and approval of certain projects and programs by and to provide additional powers and duties for the Coordinating Commission for Postsecondary Education; to add general architecture as a graduate degree program; to change provisions relating to transfer programs; to require a request of an appropriation as prescribed; to change and eliminate provisions relating to the Nebraska Safety Center Advisory Council; to redefine terms; to change provisions relating to the comprehensive statewide plan and budget and state aid requests; to provide limitations on changes of role and mission as prescribed; to change, transfer, and eliminate provisions relating to an information system; to eliminate obsolete provisions; to harmonize provisions; to provide duties for the Revisor of Statutes; and to repeal the original sections, and also sections 85-1009 to 85-1013, Reissue Revised Statutes of Nebraska, 1943, and sections 85-971, 85-973, 85-977, 85-978, and 85-1417, Revised Statutes Supplement, 1992.

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

Section 1. That section 85-180.14, Revised Statutes Supplement, 1992, be amended to read as follows:

85-180.14. The Board of Regents may construct and operate such facilities as shall be approved by the Coordinating Commission for Postsecondary Education pursuant to sections 85-1413 and 85-1414 and funded by the Legislature and may employ necessary faculty and staff to provide the clinical training of students in the cooperative veterinary medicine program pursuant to subdivision (3) of section 85-180.13. Proposed capital construction projects for veterinary medical facilities shall be reviewed, monitored, and approved or disapproved by the commission pursuant to section 85-1414 under the same standards of review applied by the commission to other capital construction projects.

Sec. 2. That section 85-401, Revised Statutes Supplement, 1992, be amended to read as follows:

85-401. Subject to the provisions of section 85-1415 subsection (10) of section 85-1414, the Board of Regents of the University of Nebraska and the Board of Trustees of the Nebraska State Colleges are authorized to lease to any person, firm, or corporation such portions of the campus of the respective institutions under their control as may be necessary to be used as sites for the construction of fireproof buildings for dormitories and for boarding, housing, and student activity purposes, for athletic structures, and for parking or as sites for the establishment of parking facilities, and they may acquire lands adjacent to the campus of any such institution by donation or purchase with any funds they may have available for that purpose to be leased as sites for such buildings and facilities. Subject to the provisions of such section subsection (10) of section 85-1414, the Board of Regents of the University of Nebraska and the Board of Trustees of the Nebraska State Colleges may also lease from any person, firm, or corporation an athletic structure or structures constructed on a site or sites owned by the State of Nebraska when the person, firm, or corporation has the permission of the Coordinating Commission for Postsecondary Education and of the Legislature to construct on such site or sites.

The State of Nebraska shall incur no liability by reason of the exercise of the authority granted in this section to the Board of Regents of the University of Nebraska and the Board of Trustees of the Nebraska State Colleges other than is hereinafter specifically set forth. The buildings and facilities so erected or established shall be used solely for dormitories and for boarding, housing, and student activity purposes, for athletic structures, and for parking, as the case may be.

Subject to the provisions of such section subsection (10) of section

85-1414, the Board of Regents of the University of Nebraska and the Board of Trustees of the Nebraska State Colleges are hereby authorized to contract with the owners of the buildings and facilities so erected or established on the leased grounds or state sites to pay as rental or otherwise for the use of the buildings and facilities a sum sufficient to pay, on the amortization plan, the principal and interest thereon of the cost of construction or establishment of the buildings and facilities, such contracts to run not over forty years.

The rate of interest allowed on the cost of construction or establishment shall be fixed by the Board of Regents of the University of Nebraska or Board of Trustees of the Nebraska State Colleges, payable annually or semiannually as may be determined by the Board of Regents of the University of Nebraska or the Board of Trustees of the Nebraska State Colleges. The contract shall provide that when the cost of construction or establishment has been paid, together with interest thereon, the buildings and facilities so constructed or established shall become the property of the State of Nebraska.

Sec. 3. That section 85-402, Revised Statutes Supplement, 1992, be amended to read as follows:

85-402. ~~Subject to the provisions of section 85-1415,~~ ~~the~~ The Board of Regents of the University of Nebraska and the Board of Trustees of the Nebraska State Colleges are hereby authorized:

(1) ~~To~~ ~~to~~ expend on the amortization plan any part of the rentals on any and all rooms, dormitories, dining rooms, and housing or student activity facility buildings or parking buildings or facilities constructed or established pursuant to section 85-401 and any part of the revenue of any athletic structure so constructed or established;

(2) ~~In~~ ~~and~~ in the case of the construction of buildings for dormitories and for boarding and housing purposes, to expend any part of the net rentals received from other buildings, theretofore constructed on the same campus for dormitories and for boarding and housing purposes, connected with the respective institutions under their control;

(3) ~~In~~ ~~and~~ in the case of the construction or establishment of buildings or facilities for parking, to expend any part of the net revenue received from other parking buildings and facilities, including parking registration fees, theretofore constructed or established on the same campus, connected with respective institutions under their control, in the payment of the construction or establishment charges and interest thereon; ~~and~~

(4) ~~To~~ ~~to~~ pledge on behalf of the respective institutions the net income from the rentals for the payment of such construction or establishment charges and interest.

In no case shall the contracts run for a longer period than forty years, and in no case is the Board of Regents of the University of Nebraska or the Board of Trustees of the Nebraska State Colleges authorized to pledge the credit of the State of Nebraska for the payment of any sum or sums over and above the net income derived from the use of the building or buildings or facility or facilities, except that there may be pledged for the payment of such contracts any appropriations specifically made for such purposes by the Legislature.

Sec. 4. That section 85-403, Revised Statutes Supplement, 1992, be amended to read as follows:

85-403. Supplemental to any existing law on the subject, ~~and subject to the provisions of section 85-1415,~~ the Board of Regents of the University of Nebraska, ~~and~~ the Board of Trustees of the Nebraska State Colleges, respectively, may construct, purchase, or otherwise acquire, remodel, repair, furnish, and equip dormitories, residence halls, single-dwelling or multiple-dwelling units, or other facilities for the housing and boarding of students, single or married, faculties, or other employees of the institutions under their control, buildings and structures for athletic purposes, ~~for~~ student and faculty unions or centers, and for the medical care and physical development and other activities of the students of the institutions, and buildings or other facilities for parking on real estate then owned or controlled by either of such boards or on real estate purchased, leased, or otherwise acquired for such purposes and pay the cost thereof, including such real estate, by issuing revenue bonds payable solely out of their revenue other than funds derived from taxation, except that any building or facility for parking shall be located on or adjacent to campuses controlled by such boards.

Bonds issued under the provisions of sections 85-403 to 85-411 are not an obligation of the State of Nebraska, and no tax shall ever be levied to raise funds for the payment thereof or interest thereon. The bonds shall not constitute a debt of the board issuing the same and shall be paid solely out of money derived from their revenue and earnings as provided in sections

85-403 to 85-411. If any proceeds from such bonds shall be are available for investment, such investment shall be by the state investment officer pursuant to the provisions of sections 72-1237 to 72-1276.

Sec. 5. That section 85-404, Revised Statutes Supplement, 1992, be amended to read as follows:

85-404. Either of the boards referred to in section 85-403 is hereby specifically authorized and empowered, by resolution or agreement, to pledge all or any part of the revenue and fees derived from the operation of the dormitories, residence halls, single-dwelling or multiple-dwelling units, buildings, and facilities for parking and other facilities for housing, boarding, athletic purposes, medical care, and physical development and other activities of students, faculties, or employees of such institutions referred to in section 85-403, or any of them, erected or acquired, or previously erected or acquired by such board, and contract as to the care, insurance, management, and operation of such buildings and facilities and the charges to be made and the rights of the holders of the revenue bonds. When the board contracts that the operation of any building or facility or part thereof shall be performed other than by the board itself, the board shall at all times maintain supervision thereof and control over the fees and charges imposed for the use thereof.

When such board proposes to pledge all or any part of the revenue and fees from buildings and facilities other than the building or facility to be constructed, the plans for such building or facility to be constructed, including financing plans, shall first be submitted for approval to reviewed by the Coordinating Commission for Postsecondary Education as provided in section 85-1415 and approved or disapproved by the Legislature, after which such board may proceed with construction of the buildings and facilities unless the commission has disapproved the construction and the Legislature has not approved the construction by an affirmative vote of three-fifths of its members within the time provided in such section or, if the Legislature is not in session, the Executive Board of the Legislative Council as provided in such section.

Sec. 6. That section 85-408, Revised Statutes Supplement, 1992, be amended to read as follows:

85-408. The boards are authorized and directed to establish and maintain such schedule of rates, fees, or charges for the use of the facilities afforded by the buildings constructed or acquired under sections 85-401 to 85-411 and other facilities controlled by such board, the revenue of which in whole or in part are is pledged to the holder of the bonds, which shall be in an amount at least sufficient on the amortization plan to pay the operating and maintenance charges thereof and the principal and interest representing the indebtedness against the income and revenue therefrom and may be sufficient in amount to provide for such bond reserve, replacement, and surplus funds as the boards in their discretion shall determine. The amounts in such funds shall be expended for such purposes in connection with the facilities as the boards shall determine, and any amount in any surplus or replacement fund and any amounts received through the sale, condemnation, or destruction of any facilities may be used to construct, repair, or replace any of the types of facilities described in section 85-403. Any amounts in such funds are specifically appropriated to the purposes of such funds and shall at all times be subject to the orders of the boards accordingly.

Before any single expenditure in excess of one hundred thousand dollars is made from any such surplus or replacement fund, the board concerned shall first submit such proposed expenditure to the Coordinating Commission for Postsecondary Education for review as provided in section 85-1415 and secure the approval of the Coordinating Commission for Postsecondary Education and of the Legislature as provided in section 85-1415 and or, if the Legislature is not in session, then of the Executive Board of the Legislative Council as provided in such section.

Sec. 7. That section 85-931, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

85-931. 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; (1) law, general; and (j) theology, general; and (k) architecture, 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, specialties; (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. 8. That section 85-937, Revised Statutes Supplement, 1992, be amended to read as follows:

85-937. The University of Nebraska shall have sole responsibility for doctoral degree programs, first professional degree programs, cooperative agricultural extension programs, and other degree programs and services specifically provided for by law. The first professional degrees, as defined by the Integrated Postsecondary Education Data System, offered by the University of Nebraska shall be medicine, law, dentistry, and pharmacy. In addition, the University of Nebraska may, with approval by the Coordinating Commission for Postsecondary Education, offer a first professional degree in architecture.

Sec. 9. That section 85-963, Revised Statutes Supplement, 1992, be amended to read as follows:

85-963. The community college areas may provide general academic transfer programs at the following campuses: Southeast Community College Area at the Fairbury-Beatrice Campus; Central Community College Area at the Columbus Campus; Metropolitan Community College Area at the Fort Omaha Campus; Mid-Plains Community College Area at the McCook and North Platte Campuses; Northeast Community College Area at the Norfolk Campus; and Western Community College Area at the Scottsbluff Campus.

In conjunction with and consistent with its determinations regarding transfers of credit, admission standards, and ~~remediation remedial programs~~ pursuant to section 85-1413, the Coordinating Commission for Postsecondary Education may authorize any or all of the campuses of community college areas not listed in this section to also provide general academic transfer programs.

The delivery of general academic transfer program services shall be limited to those areas and campuses specifically provided for by this section or the commission. The community college areas are encouraged to work in cooperation with the University of Nebraska and the state colleges for the articulation of general academic transfer programs of the six community college areas.

Sec. 10. That section 85-966, Revised Statutes Supplement, 1993, be amended to read as follows:

85-966. The Legislature acknowledges the provisions of Article VII, sections 10, 13, and 14, of the Constitution of Nebraska. The provisions of sections 85-917 to 85-966 and section 11 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, the Board of Trustees of the Nebraska State Colleges, the board of governors of each community college area, and the Coordinating Commission for Postsecondary Education.

Sec. 11. After January 1, 1995, the Legislature shall not change the role and mission provisions in this section and sections 85-121.05 and 85-917 to 85-966 unless and until a proposal for such change has first been reviewed by the Coordinating Commission for Postsecondary Education and its recommendations on such proposal have been given to the Legislature pursuant to subdivision (2) of section 85-1412, section 85-1414, or otherwise.

Sec. 12. That section 85-1002, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

85-1002. ~~As used in For purposes of sections 85-1001 to 85-1013 85-1008,~~ unless the context otherwise requires, center -

(1) Center shall mean the Nebraska Safety Center created under section 85-1003. - and

(2) Council shall mean the Nebraska Safety Center Advisory Council created under section 85-1008-

Sec. 13. That section 85-1005, Revised Statutes Supplement, 1992, be amended to read as follows:

85-1005. (1) The Board of Regents of the University of Nebraska may

accept and administer, in accordance with proper financial procedures at the University of Nebraska at Kearney, gifts, grants, tuition, and private funds to assist in the operation of the center.

(2) The legislature shall appropriate Board of Regents of the University of Nebraska shall request an appropriation of such money from the General Fund as may be necessary to permit the center to operate efficiently and to promote the purposes of sections 85-1001 to 85-1013 85-1008.

Sec. 14. That section 85-1008, Revised Statutes Supplement, 1992, be amended to read as follows:

85-1008. (1) To assist the center in carrying out its purposes and functions, there is hereby created the the Board of Regents may establish a Nebraska Safety Center Advisory Council composed of the following members; appointed by the Governor with the consent of the Legislature:

- (a) One representative from the Department of Roads;
- (b) One representative from the Department of Motor Vehicles;
- (c) One representative from the State Department of Education;
- (d) One representative from the Game and Parks Commission;
- (e) One representative from the Department of Labor;
- (f) One person representing the community college areas;
- (g) One person representing private business and industry;
- (h) One person representing the University of Nebraska;
- (i) One person representing the medical profession;
- (j) One person representing the area of law enforcement in this

state;

- (k) One person representing the Safety Council of Nebraska, Inc.;
- (l) One person representing the area of transportation;
- (m) One person representative of emergency medical services;
- (n) One person representing the judiciary in the State of Nebraska;
- (o) One person representing city government;
- (p) One person representing county government;
- (q) One person representing the area of agriculture;
- (r) One person representing the local public school system;
- (s) One representative of the Coordinating Commission for Postsecondary Education;
- (t) One person representing the Red Cross; and
- (u) One person representing the state colleges.

(2) Representatives selected to serve on the council shall have appropriate education, training, and experience in the field of industrial safety, recreational safety, domestic safety, or traffic safety.

Sec. 15. That section 85-1402, Revised Statutes Supplement, 1992, be amended to read as follows:

85-1402. For purposes of the Coordinating Commission for Postsecondary Education Act:

(1)(a) Capital construction project shall mean a project which utilizes tax funds designated by the Legislature and shall be: Any proposed new capital structure; any proposed addition to, renovation of, or remodeling of a capital structure; any proposed acquisition of a capital structure by gift, purchase, lease-purchase, or other means of construction or acquisition that (i) will be directly financed in whole or in part with tax funds designated by the Legislature totaling at least the minimum capital expenditure for purposes of this subdivision or (ii) is likely, as determined by the institution, to result in an incremental increase in appropriation or expenditure of tax funds designated by the Legislature of at least the minimum capital expenditure for the facility's operations and maintenance costs in any one fiscal year within a period of ten years from the date of substantial completion of the project. No tax funds designated by the Legislature shall be appropriated or expended for any incremental increase of more than the minimum capital expenditure for the costs of the operations and utilities of any facility which is not included in the definition of capital construction project and thus is not subject to commission approval pursuant to the Coordinating Commission for Postsecondary Education Act. No institution shall include a request for funding such an increase in its budget request for tax funds designated by the Legislature nor shall any institution utilize any such funds for such an increase. The Governor shall not include in his or her budget recommendations, and the Legislature shall not appropriate, such funds for such increase.

(b) For purposes of this subdivision:

(i) Directly financed shall mean funded by:

(A) Appropriation of tax funds designated by the Legislature for the specific capital construction project;

(B) Property tax levies used to establish a capital improvement and bond sinking fund pursuant to section 85-1515; or

(C) That portion of tax funds designated by the Legislature and appropriated by the Legislature for the general operation of the public institution and utilized to fund the capital project;

(ii) Incremental increase shall mean an increase in appropriation or expenditure of tax funds designated by the Legislature of at least the minimum capital expenditure for a facility's operations and maintenance costs, beyond any increase due to inflation, to pay for a capital structure's operations and maintenance costs that are a direct result of a capital construction project; and

(iii) Minimum capital expenditure shall mean:

(A) For purposes of subdivision (a)(i) of this subdivision, a base amount of two hundred thousand dollars; and

(B) For the facility's operations and maintenance costs pursuant to subdivision (a)(ii) of this subdivision, a base amount of fifty thousand dollars for any one fiscal year.

Both base amounts shall be subject to any inflationary or market adjustments made by the commission pursuant to this subdivision. The commission shall adjust the base amounts on a biennial basis beginning January 1, 1996. The adjustments shall be based on percentage changes in a construction cost index and any other published index relevant to operations and utilities costs, both as selected by the commission in cooperation with the public institutions. The index or indices shall reflect inflationary or market trends for the applicable operations and maintenance or construction costs. Capital construction project shall mean every proposed new capital structure; addition to or renovation or remodeling of an existing capital structure; lease-purchase agreement for a capital structure; or other construction contract for a capital structure; the total cost of any of which (a) is five hundred thousand dollars or more or (b) is less than five hundred thousand dollars and the commission determines that it is of a type that should be reviewed and approved by the commission in order to carry out its purposes under the act; in determining the types of projects which should be reviewed and approved under subdivision (b) of this subdivision; the commission may by rule and regulation either determine which types of such projects should be subject to review and approval or determine which types of such projects should not be subject to review and approval. The criteria in the rules and regulations shall be based on serving the purpose of commission review of projects using tax funds designated by the legislature that could (i) unnecessarily duplicate other projects; (ii) conflict with the statewide facilities plan; or (iii) otherwise conflict with the comprehensive statewide plan;

(2) Commission shall mean the Coordinating Commission for Postsecondary Education;

(3) Education center shall mean an off-campus branch of a public institution or cooperative of either public or public and private postsecondary educational institutions which offers instructional programs to students;

(4) Governing board shall mean the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, or the board of governors for each community college area;

(5) Program shall mean any program of instruction which leads directly to a degree, diploma, or certificate and, for purposes of section 85-1414, shall include public service programs and all off-campus instructional programs, whether or not such programs lead directly to a degree, diploma, or certificate. Program shall also include the establishment of any new college, school, major division, education center, or institute but shall not include reasonable and moderate extensions of existing curricula which have a direct relationship to existing programs;

(6) Public institution shall mean each campus of a public postsecondary educational institution which is or may be established by the Legislature, which is under the direction of a governing board, and which is administered as a separate unit by the board; and

(7) Tax funds designated by the Legislature shall mean all state tax revenue and all property tax revenue.

Sec. 16. That section 85-1405, Revised Statutes Supplement, 1992, be amended to read as follows:

85-1405. The commission shall consist of eleven members who shall be appointed by the Governor with the approval of a majority of the Legislature. One member shall be chosen from each of the six Supreme Court judicial districts. Five members shall be chosen on a statewide basis. The term of each member shall be six years or until a successor is qualified and takes office, except that of the members initially appointed, two statewide members and the members appointed from districts 1 and 2 shall serve for terms

of two years and two statewide members and the members appointed from districts 3 and 4 shall serve for terms of four years. Members shall be residents of the state or district from which appointed, and no member or any member of his or her immediate family shall be employed by or be a member of a governing board or of a governing body of an independent or private university or college. ~~The initial appointments to the commission shall be made not later than January 1, 1992.~~

Sec. 17. That section 85-1409, Revised Statutes Supplement, 1992, be amended to read as follows:

85-1409. (1) The members of the commission shall annually elect a chairperson and vice-chairperson from among their members, ~~except that the Governor shall designate the chairperson until the commission first convenes and names a successor.~~

(2) The commission shall hold regular meetings at times specified in its rules and regulations. Special or additional meetings may be held on the call of the chairperson or upon the call of at least three members. A majority of the members shall constitute a quorum at all meetings. Commission action on any item shall require a majority of those present at meetings in which there is a quorum, except that adoption of the comprehensive statewide plan, or any changes or alternatives thereto, required by section 85-1413 and approval of a new program or disapproval of an existing program pursuant to section 85-1414 shall require the concurrence of a majority of the members.

Sec. 18. That section 85-1412, Revised Statutes Supplement, 1993, be amended to read as follows:

85-1412. The commission shall have the following additional powers and duties:

(1) Conduct surveys and studies it finds appropriate for the purposes of the Coordinating Commission for Postsecondary Education Act and request information from governing boards and appropriate administrators of public institutions and other governmental agencies for research projects. All public institutions and governmental agencies receiving state funds shall comply with reasonable requests for information under this subdivision;

(2) Recommend to the Legislature and the Governor legislation it deems necessary or appropriate to improve postsecondary education in Nebraska and any other legislation it deems appropriate to change the role and mission provisions in sections 85-121.05 and 85-917 to 85-966 and section 11 of this act;

(3) Establish any advisory committees it finds will assist the commission in facilitating the performance of its duties or in soliciting input from affected parties such as students, faculty, governing boards, administrators of the public institutions, administrators of the private nonprofit institutions of postsecondary education and proprietary institutions in the state, and community and business leaders;

(4) Participate in or designate an employee or employees to participate in any committee which may be created to prepare a coordinated plan for the delivery of educational programs and services in Nebraska through the telecommunications system;

(5) Seek a close liaison with the State Board of Education and the State Department of Education in recognition of the need for close coordination of activities between elementary and secondary education and postsecondary education;

(6) Administer the Integrated Postsecondary Education Data System or other information system or systems to provide the commission with timely, comprehensive, and meaningful information pertinent to the exercise of its duties. The information system shall be designed to provide comparable data on each public institution. The commission shall also administer the uniform information system prescribed in sections 85-968 to 85-979 25 to 31 of this act known as the Nebraska Educational Data System, if such responsibility is transferred to the commission pursuant to section 85-973. Public institutions shall supply the appropriate data for the information system or systems required by the commission;

(7) Administer the State Scholarship Award Program Act, and the Scholarship Assistance Program Act, and the Postsecondary Education Award Program Act;

(8) Accept and administer loans, grants, and programs from the federal or state government and from other sources, public and private, for carrying out any of its functions. Such loans and grants shall not be expended for any other purposes than those for which the loans and grants were provided. The commission shall determine eligibility for such loans, grants, and programs, and such loans and grants shall not be expended unless approved by the Governor;

(9) Make recommendations to the State Board of Education with regard

to granting permits for the operation of correspondence schools, privately owned business or trade schools, or other educational institutions under the Private Postsecondary Career School Act whenever any correspondence school, business school, or vocational school offers any course which is intended to lead to the granting of an associate degree, diploma, or certificate or any course which qualifies for college credit. By January 17, 1994, the commission shall study and report to the chairpersons of the Education Committee and the Appropriations Committee of the Legislature its recommendations on transferring to the commission the responsibilities of the State Board of Education under the Private Postsecondary Career School Act and the responsibilities of any other state agency which licenses or regulates postsecondary education courses;

(10) Pursuant to sections 85-1101 to 85-1104, authorize out-of-state institutions of higher or postsecondary education to offer courses or degree programs in this state;

(11) On or before October 1, 1994, and on or before October 1 every two years thereafter, submit to the Legislature and the Governor a report of its objectives and activities and the implementation of any recommendations of the commission for the preceding two calendar years;

(12) Allocate state incentive funds among the public institutions pursuant to any directives to the commission in the law providing for or authorizing such funds;

(13) Provide staff support for interstate compacts on postsecondary education; and

(14) Request inclusion of the commission in any existing grant review process and information system.

Sec. 19. That section 85-1413, Revised Statutes Supplement, 1993, be amended to read as follows:

85-1413. (1) Pursuant to the authority granted in Article VII, section 14, of the Constitution of Nebraska and the Coordinating Commission for Postsecondary Education Act, the commission shall establish and revise as needed a comprehensive statewide plan for postsecondary education which shall include (a) role and mission statements for each public institution within any general assignments of role prescribed in sections 85-121.05 and 85-917 to 85-966 and (b) a plan for facilities which use utilize tax funds designated by the Legislature.

(2) Completion of the initial comprehensive statewide plan shall be the first priority of the commission, and the plan shall be completed by July 17, 1992. The planning process of the commission shall be policy-based and ongoing in order to achieve the best possible use of available state resources for high quality and accessible postsecondary educational services.

(3) In establishing the plan, the commission shall assess the postsecondary educational needs of the state in the following areas:

- (a) The basic and continuing needs of various age groups;
- (b) Business and industrial needs for a skilled work force;
- (c) Demographic, social, and economic trends;
- (d) The needs of the ethnic populations;
- (e) College attendance, retention, and dropout rates;
- (f) The needs of recent high school graduates and place-bound

adults;

- (g) The needs of residents of all geographic regions; and
- (h) Any other areas the commission may designate.

(4) The plan shall provide a structure or process which encourages and facilitates harmonious and cooperative relationships between public and private postsecondary educational institutions and shall recognize the role and relationship of elementary and secondary education and private postsecondary educational institutions in the state to postsecondary education.

(5) The commission shall incorporate into the plan provisions and policies to guide decisionmaking by the commission pursuant to this section and sections 85-1414 and 85-1415. The provisions and policies shall address issues which include, but are not limited to:

(a) The establishment and maintenance facilitation of a statewide transfer-of-credit policy guidelines to be considered by institutional governing boards. The public institutions shall provide support and staff resources as necessary to assist in developing and maintaining such a policy. The statewide transfer-of-credit policy guidelines shall be designed to facilitate the transfer of students among public institutions. The statewide transfer-of-credit policy guidelines shall not require nor encourage the standardization of course content and shall not prescribe course content or credit value assigned by any public institution to the courses;

(b) Admission standards. The commission shall establish policies

which develop general guidelines for admissions which recognize selective and differentiated admission standards at public institutions and which are consistent with the role and mission of each public institution. It is the intent of the Legislature that changes in admission standards be implemented in conjunction with the role and mission statements established pursuant to this section and sections 85-121.05 and 85-917 to 85-966 and the adoption of statewide transfer-of-credit and remediation remedial program policies to assure that access to postsecondary education is not limited;

(c) Enrollment policies guidelines. The commission shall establish enrollment guidelines policies consistent with the role and mission of each public institution and shall make specific recommendations designed to increase minority diversity through more effective enrollment and retention at public institutions;

(d) Tuition and fees. The commission shall develop guidelines for rational and equitable statewide tuition rates and fees for public institutions. The commission shall also identify public policy issues relating to tuition and fees of the public postsecondary educational institutions in the state. The guidelines shall take into account the role and mission of each public institution and the need to maximize access to public postsecondary education regardless of a student's financial circumstance;

(e) Remediation Remedial programs. In conjunction with and consistent with its policies guidelines on admission standards, the commission shall develop guidelines which place the primary emphasis at the community college level for postsecondary education remedial programs and reduce the role of the university University of Nebraska in offering remedial programs. The commission shall collaborate with the Commissioner of Education to develop recommendations for secondary schools designed to reduce the need for remediation remedial or developmental programs at the postsecondary level;

(f) Geographic and programmatic service areas. The commission shall define, after consultation with the governing boards, the geographic and programmatic service areas for each public institution consistent with role and mission assignments. Except as permitted by the commission pursuant to section 85-1414, after July 1, 1992, no public institution shall provide programs at any site outside its assigned geographic and programmatic service area unless approved permitted under rules and regulations adopted and promulgated by the commission;

(g) Institutional peer group. The commission shall, after consultation with the governing boards and experts from outside the State of Nebraska, establish a peer group or groups for each public institution for purposes of budget review. In fulfilling this charge, the commission may accept a peer group determined by a governing board in consultation with out-of-state experts;

(h) Telecommunications. The plan shall address and facilitate the appropriate use of telecommunications to aid in the delivery of instruction at the postsecondary level. In cooperation with the Nebraska Educational Telecommunications Commission, other state agencies, and, when appropriate, representatives of elementary and secondary public education, the commission shall guide may assist in the development of instructional delivery systems employing telecommunications. The commission, with the involvement of faculties, public institutions and private postsecondary educational institutions, and the telecommunications community, shall establish policies to ensure that the objectives of quality and efficiency are met in the delivery of telecommunications-aided instruction;

(i) Economic development. The commission shall, in cooperation with Nebraska businesses, governing boards, and the Department of Economic Development, develop assist in the development of strategies and plans for involvement of postsecondary education in the economic development of the state. The commission and the cooperating entities shall explore methods to improve the competitive quality of the work force and shall encourage enhanced communications and partnerships between public institutions and business and industry;

(j) Public service activities. The public institutions shall develop and provide to the commission a comprehensive inventory of public service programs and activities of public institutions; and

(k) Financial aid strategy. The commission shall develop a state strategy for state-supported student financial aid programs with the goal of assuring access to and choice in postsecondary education in Nebraska for Nebraska residents within the limits of available state resources.

(6) The commission shall develop a unified statewide facilities plan with the assistance of the public institutions and update the plan periodically.

Sec. 20. That section 85-1414, Revised Statutes Supplement, 1992, be amended to read as follows:

85-1414. (1) Pursuant to the authority granted in Article VII, section 14, of the Constitution of Nebraska and the Coordinating Commission for Postsecondary Education Act, the commission shall establish an ongoing process to review, monitor, and approve or disapprove the new and existing programs of public institutions and proposed capital construction projects which use utilize tax funds designated by the Legislature in order to provide compliance and consistency with the comprehensive statewide plan and to prevent unnecessary duplication.

(2)(a) Governing boards shall submit to the commission all proposals for any new program after the governing board has approved the program and prior to implementation of the program. The Except for programs submitted for conditional approval by the commission pursuant to subdivision (b) of this subsection, the commission shall have one hundred twenty days from the date the program was submitted to disapprove a program or it shall stand approved. The commission shall establish a waiver process for specific, short-term job training programs and short-term public service programs as defined by the commission. New programs submitted for review may be approved or disapproved in whole or in part and with or without recommended modifications based on criteria established pursuant to subsection (7) of this section.

(b) After approval of the program by the governing board, the governing board may submit a proposal for a program which is not authorized by the role and mission provisions of sections 85-121.05 and 85-917 to 85-966 to the commission for conditional approval. Within six months from its receipt of the proposal, the commission shall report to the Legislature its recommendation in support for or opposition to the amendments to the role and mission statutes that would be necessary for the commission to approve the program and for the institution to offer the program. The time period for submission of the report may be extended for up to six months by resolution of the commission which shall show good cause why the extent of review required for this particular proposal necessitates an extension of time to complete the review. Such extension shall be filed with the chairperson of the Education Committee of the Legislature prior to the expiration of the initial six months. The report shall contain supporting rationale for the commission's position, such additional comments as the commission deems appropriate and, in the event the commission supports the amendments to the role and mission statutes, the commission's specific recommendation as to the form of such amendments. Failure to timely file a report or resolution of extension with the Legislature shall be deemed to be disapproval of the proposed program and opposition by the commission to the amendments to the role and mission statutes the program would require. If the report indicates support for the necessary amendments to the role and mission statutes, the report shall also constitute the commission's conditional approval of the program, unless the report specifically indicates disapproval of the program. If the necessary amendments to the role and mission statutes supported by the commission in its report to the Legislature are subsequently enacted by the Legislature, the program shall stand approved unless the commission's conditional approval is rescinded prior to the implementation of the program. Nothing in this section for conditional approval shall be construed to affect the commission's future consideration of such proposal or approval or disapproval of any programs affected by the proposal.

(3) All Following approval of a new program, such program shall be added to the schedule of existing programs to be reviewed by the commission. Following consultation with the governing board, new programs approved by the commission shall may also be required to meet, within a reasonable time as stipulated by the commission, meet minimum performance standards established by the commission pursuant to its rules and regulations. If a program fails to meet minimum performance standards, the commission shall review the program and may continue or withdraw its approval for the program.

(4) Existing programs shall be reviewed by the commission pursuant to a program review process established by the commission. Until the commission establishes and begins implementation of such process or until July 1, 1993, whichever occurs first, the commission shall administer sections 85-9-103 to 85-9-109. To the extent possible while still allowing for timely review by the commission, program review shall coincide with institutional review and accreditation cycles. In reviewing existing programs, the commission may make use of nonconfidential information and conclusions provided by accreditation processes supplied to the commission by the institutions. All programs in existence prior to January 1, 1992, shall be considered approved until the approval is confirmed or withdrawn by the commission pursuant to the program review process conducted by the commission.

(5) Existing programs which do not meet criteria established by the commission pursuant to subsection (7) of this section shall be targeted for indepth review by the public institutions and their governing boards. In performing such indepth review, institutions may make use of information and conclusions provided by accreditation and other established and ongoing academic review processes rather than providing for a separate review process. Programs continued by the governing boards shall be further monitored by the governing board which shall report the status and process of the monitoring to the commission. If the commission determines that a program does not meet such criteria merit continuation, it shall hold a public hearing, following thirty days' notice to the public institution, to consider if the program should be continued. Following the hearing, the commission shall take action to approve or disapprove continuance of the program.

(6) Existing programs disapproved for continuance by the commission shall be terminated by a public institution when all students in the program on the date of the decision of the commission to disapprove continuance of the program have had a reasonable opportunity, as determined by the commission, to complete the program. Existing public service programs disapproved for continuance by the commission shall be terminated at the end of the fiscal year in which the decision to disapprove is made.

(7) The commission shall establish criteria for the review, monitoring, and approval or disapproval of programs. The criteria shall be designed to (a) promote quality and effectiveness of programs assure that the governing boards promote the quality and effectiveness of programs resulting in the viability of such programs, (b) meet educational needs, and (c) assure efficiency and avoid unnecessary duplication. Criteria shall include:

(i) Centrality to the role and mission of the public institution;

(ii) Consistency with the comprehensive statewide plan;

(iii) Objective evidence Evidence of need and demand including, when appropriate, quantifiable data or qualitative information or both quantifiable data and qualitative information; and

(iv) Adequacy of resources to support the program.

The criteria shall not infringe on the prerogative of the governing boards to make decisions on the quality of staff and the design of curriculum, and indicators of program quality.

(8) The commission shall develop specific criteria for review, monitoring, and approval or disapproval of participation by any public institution in proposed or existing education centers in addition to the criteria specified in this section. Participation by a public institution in an education center shall also be approved by the governing board of such public institution. The commission shall develop policies and procedures for conducting and approving off-campus programming in an education center. Any education center developed and established on or after November 6, 1990, except for any program for which funds have been specifically earmarked by the Legislature for FY1990-91, shall be deemed disapproved until approved as a new program by the commission. The initial review followed by approval or disapproval of all education centers established after such date and before January 1, 1992, shall be completed by June 30, 1992.

(9) Each public institution shall submit an institutional facilities plan to the commission subject to commission guidelines for the format and content of such plans. The commission shall review each institutional facilities plan to ensure (a) consistency with the comprehensive statewide plan, statewide facilities plan, and institutional role and mission assignments and (b) identification of unnecessary duplication of facilities. The commission may recommend modifications to the institutional facilities plans and may require submission of periodic updates of the institutional facilities plans.

(10) Governing boards shall submit all proposed capital construction projects to be financed and operated with which utilize tax funds designated by the Legislature to the commission for review and approval or disapproval. The commission shall review, monitor, and approve or disapprove each such capital construction project based on to provide compliance and consistency with the statewide facilities plan, and the comprehensive statewide plan; and any other criteria for review of capital construction projects established by the commission consistent with the Coordinating Commission for Postsecondary Education Act to prevent unnecessary duplication of capital facilities. The commission may disapprove a project only on the basis of a finding by the commission that the project (a) does not comply or is inconsistent with one or more provisions of the statewide facilities plan or other relevant provisions of the comprehensive statewide plan or (b) will result in unnecessary duplication of capital facilities. All capital construction projects in existence or receiving appropriations prior to January 1, 1992, shall be

deemed approved.

(11) In fulfilling its program and project approval activities prescribed in this section, the commission shall recognize educational activities among all segments of postsecondary education and take into account the educational programs, facilities, and other resources of both public and independent and private postsecondary educational institutions.

(12) Any program which is authorized by action of the Legislature or a governing board and which is not in existence prior to January 1, 1992, shall not become operative unless and until such program has been approved by the commission pursuant to this section.

Sec. 21. That section 85-1415, Revised Statutes Supplement, 1992, be amended to read as follows:

85-1415. Consistent with the authority granted to the Legislature pursuant to Article XIII, section 1, of the Constitution of Nebraska, the commission shall review and approve or disapprove all capital construction projects proposed by the Board of Regents of the University of Nebraska and the Board of Trustees of the Nebraska State Colleges pursuant to sections 85-401 to 85-411 ~~85-404 and 85-408~~. Such boards shall submit all such projects to the commission for review. Within sixty days from the date of submission of a proposed project, the ~~and approval or disapproval~~. The commission shall take action by recommending that the Legislature or the Executive Board of the Legislative Council either approve or disapprove the project, on projects within ninety days from the date that such projects are submitted for review. Following such action by the commission, projects requiring legislative approval under sections 85-404 and 85-408 ~~each such proposed project together with the commission's recommendation of approval or disapproval shall be submitted by the board concerned to the Legislature or, as applicable under section sections 85-404 and 85-408, to the Executive Board of the Legislative Council. The Legislature or, as applicable under section sections 85-404 and 85-408, the Executive Board of the Legislative Council shall thereafter take action to approve or disapprove the proposed project, on proposed projects within sixty days from the date such projects are submitted for legislative review.~~ Projects disapproved by the commission shall stand disapproved unless the Legislature, by an affirmative vote of three-fifths of its members, approves the projects. All projects authorized prior to January 1, 1992, shall be deemed approved.

Sec. 22. That section 85-1416, Revised Statutes Supplement, 1993, be amended to read as follows:

85-1416. (1) Pursuant to the authority granted in Article VII, section 14, of the Constitution of Nebraska and the Coordinating Commission for Postsecondary Education Act, the commission shall review and modify, if needed to promote compliance and consistency with the comprehensive statewide plan and prevent unnecessary duplication, the budget requests of the governing boards.

(2)(a) At least thirty days prior to submitting to the Governor their biennial budget requests pursuant to section 81-1113 and any major deficit appropriation requests pursuant to instructions of the Department of Administrative Services, the Board of Regents of the University of Nebraska and the Board of Trustees of the Nebraska State Colleges shall each submit to the commission an outline of its proposed operating budget, ~~with such necessary supporting information as may be required by the commission.~~ The outline of its proposed operating budget or outline of proposed state aid request shall include those information summaries provided to the institution's governing board describing the respective institution's budget for the next fiscal year or biennium. The outline shall contain projections of funds necessary for (i) the retention of current programs and services at current funding levels, (ii) any inflationary costs necessary to maintain current programs and services at the current programmatic or service levels, and (iii) proposed new and expanded programs and services. In addition to the outline, an institution may provide to the commission any other supporting information at the request of the commission or otherwise to identify the major components necessary for the commission to determine the public institution's compliance and consistency with the comprehensive statewide plan and the existence of any unnecessary duplication.

(b) At least thirty days prior to submitting their biennial budget requests for state aid pursuant to sections 85-1536 and 85-1537. On September 15 of each biennial budget request year, the boards of governors of the community colleges or their designated representatives shall submit their requests for state aid to the commission outlines of their proposed state aid requests pursuant to sections 85-1536 and 85-1537.

(c) The commission shall analyze institutional budget priorities in light of the comprehensive statewide plan, role and mission assignments, and

the goal of prevention of unnecessary duplication. The commission and shall submit to the Governor and Legislature by September October 15 of each year recommendations for approval or modification of each budget request together with a rationale for each such recommendation. The analysis and recommendations by the commission shall focus on budget requests for new and expanded programs and services and major statewide funding issues or initiatives as identified in the comprehensive statewide plan. If an institution does not comply with the commission's request pursuant to subdivision (a) of this subsection for additional budget information, the commission may so note the refusal and its specific information request in its report of budget recommendations. The commission shall also provide to the Governor and the Appropriations Committee of the Legislature on or before October 1 of each even-numbered year a report identifying public policy issues relating to student tuition and fees, including the appropriate relative differentials of tuition and fee levels between the sectors of public postsecondary education in the state consistent with the comprehensive statewide plan. The commission shall also study and recommend to the Governor and the Appropriations Committee of the Legislature on or before October 1 of each even-numbered year after 1991 appropriate levels of student tuition for each public institution in the state consistent with the comprehensive statewide plan.

(3) At least thirty days prior to submitting to the Governor their biennial budget requests pursuant to section 81-1113 and any major deficit appropriation requests pursuant to instructions of the Department of Administrative Services, the Board of Regents of the University of Nebraska and the Board of Trustees of the Nebraska State Colleges shall each submit to the commission information the commission deems necessary regarding each board's capital construction budget requests. The commission shall review the capital construction budget request information and may recommend to the Governor and the Legislature modification, approval, or disapproval of such requests consistent with the statewide facilities plan and any project approval determined pursuant to subsection (10) of section 85-1414 and to section 85-1415. The commission shall develop from a statewide perspective a unified prioritization of individual capital construction budget requests for which it has recommended approval and submit such prioritization to the Governor and the Legislature for their consideration. In establishing its prioritized list, the commission may consider and respond to the priority order established by the Board of Regents or the Board of Trustees in their respective capital construction budget requests.

(4) Nothing in this section shall be construed to affect other constitutional, statutory, or administrative requirements for the submission of budget or state aid requests by the governing boards to the Governor and the Legislature.

Sec. 23. That section 85-1419, Revised Statutes Supplement, 1992, be amended to read as follows:

85-1419. There is hereby created the Coordinating Commission for Postsecondary Education Cash Fund. The fund shall contain money received from application fees from out-of-state institutions of higher and postsecondary education seeking authorization to offer courses and programs in the State of Nebraska and from private colleges seeking provisional accreditation and money received by the commission for services rendered incident to the administration of its statutory or contractual functions. The fund shall be expended for the administrative costs of reviewing applications, publishing and duplicating reports, coordinating studies, conducting conferences, and other related activities as may be authorized by the Legislature or by contract. All such money received by the commission shall be remitted to the State Treasurer for credit to the fund. A report on the receipts and expenditures from the fund shall be included as a part of the operating budget request submitted to the Legislature and the Governor. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1276. Any money in the Nebraska Coordinating Commission for Postsecondary Education Cash Fund and the Nebraska Coordinating Commission for Postsecondary Education Administrative Cash Fund on January 1, 1992, shall be transferred to the Coordinating Commission for Postsecondary Education Cash Fund on such date.

Sec. 24. That section 85-1420, Revised Statutes Supplement, 1992, be amended to read as follows:

85-1420. There is hereby created the Coordinating Commission for Postsecondary Education Trust Fund. The fund shall serve as a revolving fund to receive grants from foundations and institutions for specific studies which are a part of the powers and duties of the commission. The grant money shall be used only for purposes specified in the grant. A report of the findings of

any studies done pursuant to the grants shall be included as a part of the operating budget request submitted to the Legislature and the Governor. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1276. ~~Any money in the Nebraska Coordinating Commission for Postsecondary Education Trust Fund on January 1, 1992, shall be transferred to the Coordinating Commission for Postsecondary Education Trust Fund on such date.~~

Sec. 25. That section 85-968, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~85-968.~~ The Legislature hereby declares that it is the intent and purpose of sections ~~85-968 to 85-979~~ 25 to 31 of this act to provide for a state-level uniform information system for all public postsecondary education systems and institutions which will:

- (1) Provide for a coordinated state-level information base regarding the activities of the public postsecondary education systems and institutions;
- (2) Insure that the Legislature and other state and federal agencies obtain timely and accurate information concerning the programs, personnel, students, finances, and facilities of the state's postsecondary education systems and institutions;
- (3) ~~Establish~~ Maintain procedures for the uniform definition and reporting of information;
- (4) Avoid unnecessary, duplicative, and conflicting information requests by state-level agencies through the uniform definition and collection of data elements, identification of data necessary for annual reporting to the state, and development of uniform and comparable data classification systems;
- (5) Provide information users and suppliers an opportunity to cooperatively develop and implement maintain a uniform information system; and
- (6) ~~Establish~~ Maintain an information base to support state-level planning, budgeting, and performance evaluation activities for postsecondary education.

Sec. 26. That section 85-969, Revised Statutes Supplement, 1992, be amended to read as follows:

~~85-969.~~ For purposes of sections ~~85-968 to 85-979~~, unless the context otherwise requires 25 to 31 of this act:

- (1) ~~Board shall mean the Executive Board of the Legislative Council;~~
- (2) ~~Committee shall mean the Appropriations Committee of the Legislature;~~
- (3) ~~Commission shall mean the Coordinating Commission for Postsecondary Education; and~~
- (4) (2) Information system shall mean the uniform information system established by such sections ~~85-968 to 85-979~~ and known as the Nebraska Educational Data System.

Sec. 27. That section 85-970, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~85-970.~~ The ~~committee~~ commission shall ~~prepare~~ maintain a comprehensive plan for a state-level public postsecondary education information system. The ~~comprehensive plan~~ commission shall:

- (1) Identify the state-level information to be reported on an annual or periodic basis regarding each postsecondary system's and institution's programs, personnel, finances, students, and facilities utilization and inventory;
- (2) Identify the data elements for which information will be collected and reported to the state;
- (3) Identify the information classification formats to be used by the postsecondary systems and institutions in presenting program, financial, student, facility, personnel, and audit information;
- (4) Identify the data-collection, reporting, and auditing procedures for the information system; and
- (5) Identify a procedure for updating the information system to meet changing conditions. ~~7~~
- (6) ~~Present a four-phase timetable for development, implementation, and evaluation of the information system operational components; and~~
- (7) ~~Make provision for the transfer of the responsibility of operating the uniform information system to an administrative agency upon completion of the development and implementation of all phases of the system.~~

Sec. 28. That section 85-974, Revised Statutes Supplement, 1992, be amended to read as follows:

~~85-974.~~ The commission shall:

- (1) Review and verify all information submitted by public postsecondary systems and institutions as part of the Integrated Postsecondary Education Data System and make such corrections in the submitted information as are necessary; and

(2) Prepare and disseminate an annual report of the information submitted by each public postsecondary system and institution and those private postsecondary educational institutions willing to cooperate as part of the Integrated Postsecondary Education Data System, and

(3) Assist the legislature in developing and maintaining or, if operation of the information system is transferred pursuant to section 85-973, develop and maintain the information system, specifically to provide information on facilities utilization and an inventory of facilities.

Sec. 29. That section 85-975, Revised Statutes Supplement, 1992, be amended to read as follows:

85-975. The committee or, if the operation of the information system is transferred pursuant to section 85-973, the The commission shall provide ongoing means for establish an advisory committee of information suppliers and users to advise the committee or commission in carrying out sections 25 to 31 of this act. 85-968 to 85-979. The advisory committee shall include representatives from each public postsecondary education system; the Department of Administrative Services; the State Department of Education; the Governor's Policy Research Office; the Auditor of Public Accounts; the commission; and such other representatives as may be necessary to advise the committee or commission.

Sec. 30. That section 85-976, Revised Statutes Supplement, 1992, be amended to read as follows:

85-976. Each public postsecondary education system and institution shall report information as required by the committee or, if operation of the information system has been transferred pursuant to section 85-973, the commission pursuant to sections 25 to 31 of this act.

Sec. 31. That section 85-979, Revised Statutes Supplement, 1992, be amended to read as follows:

85-979. In order to carry out its responsibilities under sections 85-968 to 85-979 25 to 31 of this act, the committee or, if operation of the information system is transferred pursuant to section 85-973, the commission shall:

(1) Periodically meet and confer with officials of the state and its political subdivisions having responsibility for postsecondary education services;

(2) Consult with and utilize the services of any office, department, or agency of the state; and

(3) Employ such personnel as may be necessary to assist it in the performance of its duties.

Sec. 32. The Revisor of Statutes shall assign sections 25 to 31 of this act to Chapter 85, article 14.

Sec. 33. That original sections 85-931, 85-968, 85-970, and 85-1002, Reissue Revised Statutes of Nebraska, 1943, sections 85-180.14, 85-401, 85-402, 85-403, 85-404, 85-408, 85-937, 85-963, 85-969, 85-974, 85-975, 85-976, 85-979, 85-1005, 85-1008, 85-1402, 85-1405, 85-1409, 85-1414, 85-1415, 85-1419, and 85-1420, Revised Statutes Supplement, 1992, and sections 85-966, 85-1412, 85-1413, and 85-1416, Revised Statutes Supplement, 1993, and also sections 85-1009 to 85-1013, Reissue Revised Statutes of Nebraska, 1943, and sections 85-971, 85-973, 85-977, 85-978, and 85-1417, Revised Statutes Supplement, 1992, are repealed.