

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 565**

Introduced by Kuehn, 38; Nordquist, 7.

Read first time January 21, 2015

Committee: Appropriations

- 1 A BILL FOR AN ACT relating to appropriations; to amend section 85-1412,
- 2 Reissue Revised Statutes of Nebraska, and section 71-7611, Revised
- 3 Statutes Cumulative Supplement, 2014; to state intent relating to
- 4 appropriations for education and training in high-need fields; to
- 5 provide duties for the Coordinating Commission for Postsecondary
- 6 Education; to harmonize provisions; and to repeal the original
- 7 sections.
- 8 Be it enacted by the people of the State of Nebraska,

1           Section 1. It is the intent of the Legislature to appropriate (1)  
2 three million dollars from the General Fund, one million dollars from the  
3 Health Care Cash Fund, and one million dollars from the Job Training Cash  
4 Fund for fiscal year 2015-16 and (2) three million dollars from the  
5 General Fund, one million dollars from the Health Care Cash Fund, and one  
6 million dollars from the Job Training Cash Fund for fiscal year 2016-17  
7 to the Coordinating Commission for Postsecondary Education for the  
8 purpose of providing financial support for training and education  
9 programs in high-need fields to public and private nonprofit two-year and  
10 four-year postsecondary educational institutions in Nebraska.

11           For purposes of this section and section 2 of this act, high-need  
12 fields means: Construction trades; transportation, warehousing, and  
13 distribution logistics; science, technology, engineering, and mathematics  
14 (STEM) education; health care and health services; business  
15 administration; and teacher education.

16           Sec. 2. The Coordinating Commission for Postsecondary Education  
17 shall distribute one-half of the funds appropriated pursuant to section 1  
18 of this act to two-year postsecondary educational institutions and shall  
19 distribute one-half of such funds to four-year postsecondary educational  
20 institutions. The funds shall be distributed to students enrolled in  
21 high-need fields at a postsecondary educational institution based on the  
22 number of certificates, awards, and degrees awarded during the preceding  
23 fiscal year in high-need fields at that postsecondary educational  
24 institution. In order to reduce the administrative costs, the commission  
25 shall distribute such funds to the postsecondary educational institutions  
26 which shall act as agents of the commission in the distribution of the  
27 funds to such students. The commission may adopt and promulgate rules and  
28 regulations to carry out this section.

29           Sec. 3. Section 71-7611, Revised Statutes Cumulative Supplement,  
30 2014, is amended to read:

31           71-7611 (1) The Nebraska Health Care Cash Fund is created. The State

1 Treasurer shall transfer (a) fifty-six million one hundred thousand  
2 dollars no later than July 15, 2009, (b) fifty-nine million one hundred  
3 thousand dollars on or before July 15, 2010, July 15, 2011, July 15,  
4 2012, and July 15, 2013, and (c) sixty million one hundred thousand  
5 dollars on or before July 15, 2014, and on or before every July 15  
6 thereafter from the Nebraska Medicaid Intergovernmental Trust Fund and  
7 the Nebraska Tobacco Settlement Trust Fund to the Nebraska Health Care  
8 Cash Fund, except that such amount shall be reduced by the amount of the  
9 unobligated balance in the Nebraska Health Care Cash Fund at the time the  
10 transfer is made. The state investment officer upon consultation with the  
11 Nebraska Investment Council shall advise the State Treasurer on the  
12 amounts to be transferred from the Nebraska Medicaid Intergovernmental  
13 Trust Fund and from the Nebraska Tobacco Settlement Trust Fund under this  
14 section in order to sustain such transfers in perpetuity. The state  
15 investment officer shall report electronically to the Legislature on or  
16 before October 1 of every even-numbered year on the sustainability of  
17 such transfers. Except as otherwise provided by law, no more than the  
18 amount specified in this subsection may be appropriated or transferred  
19 from the Nebraska Health Care Cash Fund in any fiscal year.

20 Except as provided in section 1 of this act, it ~~It~~ is the intent of  
21 the Legislature that no additional programs are funded through the  
22 Nebraska Health Care Cash Fund until funding for all programs with an  
23 appropriation from the fund during FY2012-13 are restored to their  
24 FY2012-13 levels.

25 (2) Any money in the Nebraska Health Care Cash Fund available for  
26 investment shall be invested by the state investment officer pursuant to  
27 the Nebraska Capital Expansion Act and the Nebraska State Funds  
28 Investment Act.

29 (3) The University of Nebraska and postsecondary educational  
30 institutions having colleges of medicine in Nebraska and their affiliated  
31 research hospitals in Nebraska, as a condition of receiving any funds

1 appropriated or transferred from the Nebraska Health Care Cash Fund,  
2 shall not discriminate against any person on the basis of sexual  
3 orientation.

4 Sec. 4. Section 85-1412, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 85-1412 The commission shall have the following additional powers  
7 and duties:

8 (1) Conduct surveys and studies as may be necessary to undertake the  
9 coordination function of the commission pursuant to section 85-1403 and  
10 request information from governing boards and appropriate administrators  
11 of public institutions and other governmental agencies for research  
12 projects. All public institutions and governmental agencies receiving  
13 state funds shall comply with reasonable requests for information under  
14 this subdivision. Public institutions may comply with such requests  
15 pursuant to section 85-1417;

16 (2) Recommend to the Legislature and the Governor legislation it  
17 deems necessary or appropriate to improve postsecondary education in  
18 Nebraska and any other legislation it deems appropriate to change the  
19 role and mission provisions in sections 85-917 to 85-966.01. The  
20 recommendations submitted to the Legislature shall be submitted  
21 electronically;

22 (3) Establish any advisory committees as may be necessary to  
23 undertake the coordination function of the commission pursuant to section  
24 85-1403 or to solicit input from affected parties such as students,  
25 faculty, governing boards, administrators of the public institutions,  
26 administrators of the private nonprofit institutions of postsecondary  
27 education and proprietary institutions in the state, and community and  
28 business leaders regarding the coordination function of the commission;

29 (4) Participate in or designate an employee or employees to  
30 participate in any committee which may be created to prepare a  
31 coordinated plan for the delivery of educational programs and services in

1 Nebraska through the telecommunications system;

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

6 (6) Administer the Integrated Postsecondary Education Data System or  
7 other information system or systems to provide the commission with  
8 timely, comprehensive, and meaningful information pertinent to the  
9 exercise of its duties. The information system shall be designed to  
10 provide comparable data on each public institution. The commission shall  
11 also administer the uniform information system prescribed in sections  
12 85-1421 to 85-1427 known as the Nebraska Educational Data System. Public  
13 institutions shall supply the appropriate data for the information system  
14 or systems required by the commission;

15 (7) Administer (a) the Access College Early Scholarship Program Act,  
16 (b) the Community College Aid Act, (c) the Nebraska Community College  
17 Student Performance and Occupational Education Grant Fund under the  
18 direction of the Nebraska Community College Student Performance and  
19 Occupational Education Grant Committee, (d) the Nebraska Opportunity  
20 Grant Act, and (e) the Postsecondary Institution Act;

21 (8) Accept and administer loans, grants, and programs from the  
22 federal or state government and from other sources, public and private,  
23 for carrying out any of its functions, including the administration of  
24 privately endowed scholarship programs and administration of aid pursuant  
25 to section 2 of this act. Such loans and grants shall not be expended for  
26 any other purposes than those for which the loans and grants were  
27 provided. The commission shall determine eligibility for such loans,  
28 grants, and programs, and such loans and grants shall not be expended  
29 unless approved by the Governor;

30 (9) On or before December 1 of each even-numbered year, submit to  
31 the Legislature and the Governor a report of its objectives and

1 activities and any new private colleges in Nebraska and the  
2 implementation of any recommendations of the commission for the preceding  
3 two calendar years. The report submitted to the Legislature shall be  
4 submitted electronically;

5 (10) Provide staff support for interstate compacts on postsecondary  
6 education; and

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

9 Sec. 5. Original section 85-1412, Reissue Revised Statutes of  
10 Nebraska, and section 71-7611, Revised Statutes Cumulative Supplement,  
11 2014, are repealed.