

§ 85-2107 UNIVERSITY, COLLEGES, POSTSECONDARY EDUCATION

the commission. The review shall be pursuant to the Administrative Procedure Act.

**Source:** Laws 2007, LB192, § 8.

Cross References

Administrative Procedure Act, see section 84-920.

**85-2108 Rules and regulations.**

The commission may adopt and promulgate rules and regulations to carry out the Access College Early Scholarship Program Act.

**Source:** Laws 2007, LB192, § 9.

**ARTICLE 22**

**COMMUNITY COLLEGE FOUNDATION AND EQUALIZATION AID ACT**

Section

- 85-2201. Act, how cited.
- 85-2202. Community College Foundation and Equalization Aid Fund; created; use; investment.
- 85-2203. Definitions, where found.
- 85-2204. Average revenue remainder allowance, defined.
- 85-2205. Base growth factor, defined.
- 85-2206. Base revenue need, defined.
- 85-2207. Community college area, defined.
- 85-2208. Equalization aid, defined.
- 85-2209. Formula base revenue, defined.
- 85-2210. Full-time equivalent student, defined.
- 85-2211. Local effort rate, defined.
- 85-2212. Prior year revenue, defined.
- 85-2213. Reimbursable educational unit, defined.
- 85-2214. Repealed. Laws 2008, LB 973, § 10.
- 85-2215. Reimbursable educational unit need.
- 85-2216. Revenue remainder allowance, defined.
- 85-2217. State foundation amount, defined.
- 85-2218. State foundation percentage.
- 85-2219. Repealed. Laws 2008, LB 973, § 10.
- 85-2220. System foundation need, defined.
- 85-2221. Community college area; report data.
- 85-2222. Legislature; appropriate funds; legislative intent; Department of Revenue; Department of Administrative Services; duties.
- 85-2223. Department of Revenue; calculate base revenue need.
- 85-2224. Department of Revenue; calculate local effort rate and formula resources.
- 85-2225. Equalization aid; amount.
- 85-2226. Repealed. Laws 2008, LB 973, § 10.
- 85-2227. Department of Revenue; certify maximum levy.
- 85-2228. Minimum levy aid reduction; applicability.
- 85-2229. Director of Administrative Services; pay warrants; procedure.

**85-2201 Act, how cited.**

Sections 85-2201 to 85-2229 shall be known and may be cited as the Community College Foundation and Equalization Aid Act.

**Source:** Laws 2007, LB 342, § 1.

**85-2202 Community College Foundation and Equalization Aid Fund; created; use; investment.**

The Community College Foundation and Equalization Aid Fund is created. The fund shall be used to provide state aid to community college areas pursuant

**COMMUNITY COLLEGE FOUNDATION AND EQUALIZATION AID ACT § 85-2209**

to the Community College Foundation and Equalization Aid Act. Any money in the Community College Foundation and Equalization Aid Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

**Source:** Laws 2007, LB 342, § 2.

**Cross References**

Nebraska Capital Expansion Act, see section 72-1269.

Nebraska State Funds Investment Act, see section 72-1260.

**85-2203 Definitions, where found.**

For purposes of the Community College Foundation and Equalization Aid Act, the definitions found in sections 85-2204 to 85-2220 apply.

**Source:** Laws 2007, LB 342, § 3.

**85-2204 Average revenue remainder allowance, defined.**

Average revenue remainder allowance means the amount calculated pursuant to subdivision (2)(b) of section 85-2223.

**Source:** Laws 2007, LB342, § 4.

**85-2205 Base growth factor, defined.**

Base growth factor means:

- (1) For the calculation of aid for fiscal year 2008-09, the base limitation described in section 77-3446 minus one-half percent; and
- (2) For the calculation of aid for fiscal year 2009-10 and each fiscal year thereafter, the base limitation described in section 77-3446 plus one-half percent.

**Source:** Laws 2007, LB 342, § 5; Laws 2008, LB973, § 1.  
Effective date July 18, 2008.

**85-2206 Base revenue need, defined.**

Base revenue need means the amount calculated pursuant to section 85-2223.

**Source:** Laws 2007, LB 342, § 6.

**85-2207 Community college area, defined.**

Community college area has the definition found in section 85-1503.

**Source:** Laws 2007, LB 342, § 7.

**85-2208 Equalization aid, defined.**

Equalization aid means the amount calculated pursuant to section 85-2225.

**Source:** Laws 2007, LB 342, § 8.

**85-2209 Formula base revenue, defined.**

Formula base revenue means the base growth factor plus one, times the total prior year revenue for all community college areas.

**Source:** Laws 2007, LB 342, § 9.

**85-2210 Full-time equivalent student, defined.**

Full-time equivalent student has the definition found in section 85-1503.

**Source:** Laws 2007, LB 342, § 10.

**85-2211 Local effort rate, defined.**

Local effort rate means the rate applied for the determination of total formula resources pursuant to section 85-2224.

**Source:** Laws 2007, LB 342, § 11.

**85-2212 Prior year revenue, defined.**

Prior year revenue means (1) the lesser of (a) the total of general fund property taxes levied in the fiscal year immediately preceding the fiscal year for which aid is being calculated or (b) the local effort rate calculated pursuant to section 85-2224 multiplied by the property valuation for each community college area divided by one hundred plus (2) state aid, tuition, and fees reported on the accrual basis of accounting in the fiscal year immediately preceding the fiscal year for which aid is being calculated.

**Source:** Laws 2007, LB 342, § 12; Laws 2008, LB973, § 2.  
Effective date July 18, 2008.

**85-2213 Reimbursable educational unit, defined.**

Reimbursable educational unit has the definition found in section 85-1503.

**Source:** Laws 2007, LB 342, § 13.

**85-2214 Repealed. Laws 2008, LB 973, § 10.**

**85-2215 Reimbursable educational unit need.**

Reimbursable educational unit need equals the amount calculated in subdivision (2)(d) of section 85-2223.

**Source:** Laws 2007, LB 342, § 15.

**85-2216 Revenue remainder allowance, defined.**

Revenue remainder allowance means the amount calculated pursuant to subdivision (2)(e) of section 85-2223.

**Source:** Laws 2007, LB 342, § 16.

**85-2217 State foundation amount, defined.**

State foundation amount means the amount calculated pursuant to subdivision (2)(f) of section 85-2223.

**Source:** Laws 2007, LB 342, § 17.

**85-2218 State foundation percentage.**

State foundation percentage equals thirty percent.

**Source:** Laws 2007, LB 342, § 18.

**85-2219 Repealed. Laws 2008, LB 973, § 10.**

**85-2220 System foundation need, defined.**

**COMMUNITY COLLEGE FOUNDATION AND EQUALIZATION AID ACT § 85-2222**

System foundation need means the amount calculated pursuant to subdivision (2)(g) of section 85-2223.

**Source:** Laws 2007, LB 342, § 20.

**85-2221 Community college area; report data.**

Each community college area shall annually report such data as necessary to carry out the Community College Foundation and Equalization Aid Act to the Coordinating Commission for Postsecondary Education. Each community college area shall annually provide the commission with a reconciliation of the data necessary to carry out the act with audited financial statement information.

**Source:** Laws 2007, LB 342, § 21; Laws 2008, LB973, § 3.  
Effective date July 18, 2008.

**85-2222 Legislature; appropriate funds; legislative intent; Department of Revenue; Department of Administrative Services; duties.**

(1) The Legislature, in an effort to promote quality postsecondary education and to avoid excessive and disproportionate taxation upon the taxable property of each community college area, may appropriate each biennium from such funds as may be available an amount for aid and assistance to the community colleges. The Legislature recognizes that education, as an investment in human resources, is fundamental to the quality of life and the economic prosperity of Nebraskans and that aid to the community colleges furthers these goals. It is the intent of the Legislature that such appropriations reflect the commitment of the Legislature to join with local governing bodies in a strong and continuing partnership to further advance the quality, responsiveness, access, and equity of Nebraska's community colleges and to foster high standards of performance and service so that every citizen, community, and business will have the opportunity to receive quality educational programs and services regardless of the size, wealth, or geographic location of the community college area or tribally controlled community college as defined in section 85-1503 by which that citizen, community, or business is served. Such funds so appropriated by the Legislature shall be allocated, adjusted, and distributed to the community college boards of governors as provided in the Community College Foundation and Equalization Aid Act.

(2) The Department of Revenue shall certify aid amounts pursuant to the act and report such amounts to the Department of Administrative Services. The Department of Administrative Services shall distribute the total of such appropriated and allocated funds to the boards of governors in ten as nearly as possible equal monthly payments between the fifth and twentieth day of each month beginning in September of each year.

(3) The Department of Administrative Services shall reduce the amount of the distribution to a board of governors by the amount of funds used by the community college area to provide a program or capital construction project as such term is defined in section 85-1402 which has not been approved or has been disapproved by the Coordinating Commission for Postsecondary Education pursuant to the Coordinating Commission for Postsecondary Education Act.

**Source:** Laws 1975, LB 344, § 16; Laws 1976, LB 903, § 11; Laws 1977, LB 7, § 1; Laws 1977, LB 459, § 12; Laws 1979, LB 363, § 4;

§ 85-2222 UNIVERSITY, COLLEGES, POSTSECONDARY EDUCATION

Laws 1982, LB 816, § 7; Laws 1984, LB 890, § 2; Laws 1986, LB 258, § 23; Laws 1990, LB 143, § 5; Laws 1991, LB 663, § 48; R.S.Supp.,1992, § 79-2651; Laws 1993, LB 239, § 58; Laws 1995, LB 241, § 2; Laws 1997, LB 269, § 75; Laws 1999, LB 67, § 2; R.S.1943, (1999), § 85-1536; Laws 2007, LB342, § 22.

Cross References

Coordinating Commission for Postsecondary Education Act, see section 85-1401.

Chapter 79, article 26, the Technical Community College Area Act, is not in violation of Article VIII, section 1A, of the Constitution. State ex rel. Western Technical Com. Col. Area v. Tallon, 196 Neb. 603, 244 N.W.2d 183 (1976).

**85-2223 Department of Revenue; calculate base revenue need.**

(1) The Department of Revenue shall annually calculate the base revenue need for each community college area as follows:

(a) For fiscal year 2008-09, base revenue need for each community college area shall equal one plus the greater of zero or the average annual percentage growth in full-time equivalent enrollments attributable to each community college area for the most recent three fiscal years times the sum of (i) system foundation need plus (ii) reimbursable educational unit need plus (iii) the revenue remainder allowance for each community college area. The average annual percentage growth shall be calculated by taking the difference between the three-year full-time equivalent enrollment average for the current funding year and the three-year full-time equivalent enrollment average for the prior funding year and dividing by the three-year full-time equivalent enrollment average from the prior funding year; and

(b) For fiscal year 2009-10 and each fiscal year thereafter, base revenue need for each community college area shall equal the greater of ninety-eight percent of the base revenue need calculated in the prior year or one plus the greater of zero or the average annual percentage growth in full-time equivalent enrollments attributable to each community college area times the sum of (i) system foundation need plus (ii) reimbursable educational unit need plus (iii) the average revenue remainder allowance. The average annual percentage growth shall be calculated by taking the difference between the three-year full-time equivalent enrollment average for the current funding year and the three-year full-time equivalent enrollment average for the prior funding year and dividing by the three-year full-time equivalent enrollment average from the prior funding year.

(2) For purposes of the calculation required pursuant to this section:

(a) Average need adjustment shall be calculated for fiscal year 2007-08 aid distribution as follows: Average need adjustment shall equal the sum of average adjusted revenue per full-time equivalent student minus the adjusted revenue per full-time equivalent student times the number of full-time equivalent students attributable to each community college area up to the number of full-time equivalent students attributable to the community college area with the fewest number of full-time equivalent students, except that the amount shall not be less than negative seven hundred fifty thousand or greater than seven hundred fifty thousand. For purposes of the average need adjustment, (i) adjusted revenue per full-time equivalent student equals the sum of the prior year revenue for each community college area minus the system foundation need divided by the number of full-time equivalent students for each community college area and

**COMMUNITY COLLEGE FOUNDATION AND EQUALIZATION AID ACT § 85-2224**

(ii) average adjusted revenue per full-time equivalent student equals the sum of the prior year revenue for all community college areas minus the system foundation need for all areas divided by the number of full-time equivalent students for all areas;

(b) Average revenue remainder allowance shall equal the average revenue remainder per reimbursable educational unit times the average number of reimbursable educational units for each community college area for the most recent three fiscal years;

(c) Average revenue remainder per reimbursable educational unit equals the revenue remainder allowance for all community college areas divided by the average number of reimbursable educational units in all community college areas for the most recent three fiscal years;

(d) Reimbursable educational unit need for each community college area equals the product of the state foundation amount times forty percent divided by the total reimbursable educational units of all community college areas times the number of reimbursable educational units attributable to each community college area;

(e) Revenue remainder allowance equals the formula base revenue attributable to each community college area minus the sum of system foundation need plus reimbursable educational unit need;

(f) State foundation amount equals formula base revenue times the state foundation percentage;

(g) System foundation need for each community college area equals the product of the state foundation amount times sixty percent divided by the number of community college areas;

(h) Funding year, for purposes of calculating average annual percentage growth, means the fiscal year for which aid is being calculated; and

(i) Three-year full-time equivalent enrollment average for any given funding year equals the sum of the audited full-time equivalent enrollment for the three years preceding the funding year divided by three.

**Source:** Laws 2007, LB342, § 23; Laws 2008, LB973, § 4.  
Effective date July 18, 2008.

**85-2224 Department of Revenue; calculate local effort rate and formula resources.**

(1) The Department of Revenue shall calculate local effort rate by dividing the sum of (a) the total of base revenue need for all community college areas minus (b) the amount appropriated by the Legislature pursuant to the Community College Foundation and Equalization Aid Act minus (c) the total formula tuition and fees for all community college areas by the total taxable valuation from the most recent Certificate of Taxes Levied required under section 77-1613.01 for all community college areas times one hundred.

(2) The department shall calculate the formula resources available to each community college area by adding the yield from local effort rate plus local formula tuition and fees.

(3) For purposes of the calculation required pursuant to this section:

(a) The yield from local effort rate for each community college area equals the local effort rate times the total taxable valuation certified to each communi-

§ 85-2224 UNIVERSITY, COLLEGES, POSTSECONDARY EDUCATION

ty college area pursuant to the most recent Certificate of Taxes Levied required under section 77-1613.01 divided by one hundred; and

(b) Local formula tuition and fees equals tuition and fees attributable to each community college area that were reported on the accrual basis of accounting in the fiscal year prior to the fiscal year for which aid is to be calculated.

**Source:** Laws 2007, LB342, § 24; Laws 2008, LB973, § 5.  
Effective date July 18, 2008.

**85-2225 Equalization aid; amount.**

Equalization aid for each community college area shall equal base revenue need attributable to the community college area minus formula resources attributable to the community college area, except that such amount shall not be less than zero.

**Source:** Laws 2007, LB342, § 25; Laws 2008, LB973, § 6.  
Effective date July 18, 2008.

**85-2226 Repealed. Laws 2008, LB 973, § 10.**

**85-2227 Department of Revenue; certify maximum levy.**

The maximum levy for each community college area shall be certified by the Department of Revenue annually and shall equal one hundred twenty percent of the local effort rate calculated pursuant to section 85-2224 plus amounts allowed pursuant to subsection (2) of section 85-1517.

**Source:** Laws 2007, LB342, § 27; Laws 2008, LB973, § 7.  
Effective date July 18, 2008.

**85-2228 Minimum levy aid reduction; applicability.**

For fiscal year 2008-09 and for each fiscal year thereafter, a minimum levy aid reduction shall apply to any community college area that does not levy at least eighty percent of the local effort rate calculated pursuant to section 85-2224 for the fiscal year immediately preceding the fiscal year for which aid is being calculated.

The minimum levy aid reduction shall equal the difference between the amount of revenue collected by the community college area as a result of its levy and the amount of revenue that would have been collected using eighty percent of the local effort rate in the prior fiscal year. The Department of Revenue shall reduce the amount of aid by an amount equal to the minimum levy aid reduction.

**Source:** Laws 2007, LB342, § 28; Laws 2008, LB973, § 8.  
Effective date July 18, 2008.

**85-2229 Director of Administrative Services; pay warrants; procedure.**

The Director of Administrative Services shall, upon notification by the State Treasurer that sufficient funds are available for payment, draw warrants on vouchers presented by the budget division of the Department of Administrative

**COMMUNITY COLLEGE FOUNDATION AND EQUALIZATION AID ACT § 85-2229**

Services against funds appropriated and deliver such warrants to the various community colleges.

**Source:** Laws 1975, LB 344, § 18; Laws 1976, LB 903, § 12; R.S.1943, (1987), § 79-2653; Laws 1993, LB 239, § 60; R.S.1943, (1999), § 85-1538; Laws 2007, LB342, § 29.

Chapter 79, article 26, the Technical Community College Area Act, is not in violation of Article VIII, section 1A, of the Constitution. State ex rel. Western Technical Com. Col. Area v. Tallon, 196 Neb. 603, 244 N.W.2d 183 (1976).

fulfill its responsibilities and duties regarding the individual community college areas and the individual community college area campuses.

**Source:** Laws 1991, LB 625, § 1; Laws 1991, LB 663, § 46; R.S.Supp.,1992, § 79-2636.01; Laws 1993, LB 239, § 24; Laws 2004, LB 821, § 43.

**Cross References**

Open Meetings Act, see section 84-1407.

**85-1503 Terms, defined.**

For purposes of sections 85-1501 to 85-1540, unless the context otherwise requires:

(1) Community college means an educational institution operating and offering programs pursuant to such sections;

(2) Community college area means an area established by section 85-1504;

(3) Board means the Community College Board of Governors for each community college area;

(4) Full-time equivalent student means, in the aggregate, the equivalent of a registered student who in a twelve-month period is enrolled in (a) thirty semester credit hours or forty-five quarter credit hours of classroom, laboratory, clinical, practicum, or independent study course work or cooperative work experience or (b) nine hundred contact hours of classroom or laboratory course work for which credit hours are not offered or awarded. Avocational and recreational community service programs or courses are not included in determining full-time equivalent students or student enrollment;

(5) Contact hour means an educational activity consisting of sixty minutes minus break time and required time to change classes;

(6) Credit hour means the unit used to ascertain the educational value of course work offered by the institution to students enrolling for such course work, earned by such students upon successful completion of such course work, and for which tuition is charged. A credit hour may be offered and earned in any of several instructional delivery systems, including, but not limited to, classroom hours, laboratory hours, clinical hours, practicum hours, cooperative work experience, and independent study. A credit hour shall consist of a minimum of: (a) Ten quarter or fifteen semester classroom contact hours per term of enrollment; (b) twenty quarter or thirty semester academic transfer and academic support laboratory hours per term of enrollment; (c) thirty quarter or forty-five semester vocational laboratory hours per term of enrollment; (d) thirty quarter or forty-five semester clinical or practicum contact hours per term of enrollment; or (e) forty quarter or sixty semester cooperative work experience contact hours per term of enrollment. An institution may include in a credit hour more classroom, laboratory, clinical, practicum, or cooperative work experience hours than the minimum required in this subdivision. The institution shall publish in its catalog, or otherwise make known to the student in writing prior to the student enrolling or paying tuition for any courses, the number of credit or contact hours offered in each such course. Such published credit or contact hour offerings shall be used to determine whether a student is a full-time equivalent student pursuant to subdivision (4) of this section;

(7) Classroom hour means a minimum of fifty minutes of formalized instruction on campus or off campus in which a qualified instructor applying any combination of instructional methods such as lecture, directed discussion, demonstration, or the presentation of audiovisual materials is responsible for providing an educational experience to students;

(8) Laboratory hour means a minimum of fifty minutes of educational activity on campus or off campus in which students conduct experiments, perfect skills, or practice procedures under the direction of a qualified instructor;

(9) Clinical hour means a minimum of fifty minutes of educational activity on campus or off campus during which the student is assigned practical experience under constant supervision at a health-related agency, receives individual instruction in the performance of a particular function, and is observed and critiqued in the repeat performance of such function. Adjunct professional personnel, who may or may not be paid by the college, may be used for the directed supervision of students and for the delivery of part of the didactic phase of the experience;

(10) Practicum hour means a minimum of fifty minutes of educational activity on campus or off campus during which the student is assigned practical experiences, receives individual instruction in the performance of a particular function, and is observed and critiqued by an instructor in the repeat performance of such function. Adjunct professional personnel, who may or may not be paid by the college, may be used for the directed supervision of the students;

(11) Cooperative work experience means an internship or on-the-job training, designed to provide specialized skills and educational experiences, which is coordinated, supervised, observed, and evaluated by qualified college staff or faculty and may be completed on campus or off campus, depending on the nature of the arrangement;

(12) Independent study means an arrangement between an instructor and a student in which the instructor is responsible for assigning work activity or skill objectives to the student, personally providing needed instruction, assessing the student's progress, and assigning a final grade. Credit hours shall be assigned according to the practice of assigning credits in similar courses;

(13) Full-time equivalent student enrollment total means the total of full-time equivalent students enrolled in a community college in any fiscal year;

(14) General academic transfer course means a course offering in a one-year or two-year degree-credit program, at the associate degree level or below, intended by the offering institution for transfer into a baccalaureate program. The completion of the specified courses in a general academic transfer program may include the award of a formal degree;

(15) Applied technology or occupational course means a course offering in an instructional program, 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 an applied technology or occupational program shall be that such program is for immediate job entry. The completion of the specified courses in an applied technology or occupational program may include the award of a formal degree, diploma, or certificate;

(16) Academic support course means a general education academic course offering which may be necessary to support an applied technology or occupational program;

(17) Class 1 course means an applied technology or occupational course offering which requires the use of equipment, facilities, or instructional methods easily adaptable for use in a general academic transfer program classroom or laboratory;

(18) Class 2 course means an applied technology or occupational course offering which requires the use of specialized equipment, facilities, or instructional methods not easily adaptable for use in a general academic transfer program classroom or laboratory;

(19) Full-time equivalent student means a full-time equivalent student subject to the following limitation: The number of credit and contact hours which shall be counted by any community college area in which a tribally controlled community college is located shall include credit and contact hours awarded by such tribally controlled community college to students for which such institution received no federal reimbursement pursuant to the Tribally Controlled Community College Assistance Act, 25 U.S.C. 1801;

(20) Full-time equivalent total means the total of all full-time equivalents accumulated in a community college area in any fiscal year;

(21) Reimbursable educational unit means a full-time equivalent student multiplied by (a) for a general academic transfer course or an academic support course, a factor of one, (b) for a Class 1 course, a factor of one and fifty-hundredths, (c) for a Class 2 course, a factor of two, (d) for a tribally controlled community college general academic transfer course or academic support course, a factor of two, (e) for a tribally controlled community college Class 1 course, a factor of three, and (f) for a tribally controlled community college Class 2 course, a factor of four;

(22) Reimbursable educational unit total means the total of all reimbursable educational units accumulated in a community college area in any fiscal year;

(23) Special instructional term means any term which is less than fifteen weeks for community colleges using semesters or ten weeks for community colleges using quarters;

(24) Statewide reimbursable full-time equivalent total means the total of all reimbursable full-time equivalents accumulated statewide for the community college in any fiscal year;

(25) Tribally controlled community college means an educational institution operating and offering programs pursuant to the Tribally Controlled Community College Assistance Act, 25 U.S.C. 1801; and

(26) Tribally controlled community college state aid amount means the quotient of the amount of state aid to be distributed pursuant to the Community College Foundation and Equalization Aid Act for the current fiscal year to a community college area in which a tribally controlled community college is located divided by the reimbursable educational unit total for such community college area for the immediately preceding fiscal year, with such quotient then multiplied by the average reimbursable educational units derived pursuant to subdivision (19) of this section for the immediately preceding fiscal year.

**Source:** Laws 1975, LB 344, § 2; Laws 1977, LB 459, § 10; Laws 1979, LB 363, § 1; Laws 1984, LB 890, § 1; Laws 1987, LB 329, § 1; Laws 1988, LB 802, § 30; Laws 1991, LB 663, § 45; Laws 1992, LB 921, § 1; R.S.Supp., 1992, § 79-2637; Laws 1993, LB 239,

§ 85-1503 UNIVERSITY, COLLEGES, POSTSECONDARY EDUCATION

§ 25; Laws 1995, LB 241, § 1; Laws 1997, LB 269, § 68; Laws 1999, LB 67, § 1; Laws 2005, LB 38, § 3; Laws 2007, LB 342, § 40.

Cross References

Community College Foundation and Equalization Aid Act, see section 85-2201.

Chapter 79, article 26, the Technical Community College Area Act, is not in violation of Article VIII, section 1A, of the Constitution. State ex rel. Western Technical Com. Col. Area v. Tallon, 196 Neb. 603, 244 N.W.2d 183 (1976).

85-1504 Community college areas, designated.

The state is hereby divided into six community college areas as follows:

(1) The Western Community College Area shall consist of the following counties: Sioux, Dawes, Sheridan, Box Butte, Scotts Bluff, Banner, Kimball, Morrill, Cheyenne, Garden, Deuel, and Grant and the voting districts of Merriam, Russell, King, Mother Lake, Cody, Barley, Gillaspie, Lackey, and Calf Creek in Cherry County as such voting districts existed on July 1, 1975;

(2) The Mid-Plains Community College Area shall consist of the following counties: Cherry except as provided in subdivision (1) of this section, Hooker, Thomas, Blaine, Loup, Arthur, McPherson, Logan, Custer, Keith, Lincoln, Perkins, Chase, Hayes, Frontier, Dundy, Hitchcock, and Red Willow;

(3) The Northeast Community College Area shall consist of the following counties: Keya Paha, Brown, Rock, Boyd, Holt, Garfield, Wheeler, Knox, Cedar, Antelope, Pierce, Madison, Wayne, Stanton, Dixon, Dakota, Thurston, Burt, and Cuming and the precincts of North Oakland, South Oakland, Ashland, North Branch, Shell Creek, and Midland in Boone County as such precincts existed on July 1, 1975;

(4) The Central Community College Area shall consist of the following counties: Valley, Greeley, Platte, Colfax, Sherman, Howard, Nance, Merrick, Polk, Butler, Dawson, Buffalo, Hall, Hamilton, Gosper, Phelps, Kearney, Adams, Clay, Furnas, Harlan, Franklin, Webster, and Nuckolls and all of Boone County except as provided in subdivision (3) of this section;

(5) The Southeast Community College Area shall consist of the following counties: Saunders, Cass, York, Seward, Lancaster, Otoe, Fillmore, Saline, Thayer, Jefferson, Gage, Johnson, Nemaha, Pawnee, and Richardson; and

(6) The Metropolitan Community College Area shall consist of the following counties: Dodge, Washington, Douglas, and Sarpy.

Source: Laws 1975, LB 344, § 3; R.S.1943, (1987), § 79-2638; Laws 1993, LB 239, § 26; Laws 1999, LB 596, § 1.

Chapter 79, article 26, the Technical Community College Area Act, is not in violation of Article VIII, section 1A, of the Constitution. State ex rel. Western Technical Com. Col. Area v. Tallon, 196 Neb. 603, 244 N.W.2d 183 (1976).

85-1505 Community college area; body corporate.

Each community college area shall constitute a body corporate and as such may sue and be sued.

Source: Laws 1975, LB 344, § 4; R.S.1943, (1987), § 79-2639; Laws 1993, LB 239, § 27.

Chapter 79, article 26, the Technical Community College Area Act, is not in violation of Article VIII, section 1A, of the Constitution. State ex rel. Western Technical Com. Col. Area v. Tallon, 196 Neb. 603, 244 N.W.2d 183 (1976).

85-1506 Community College Board of Governors; membership.