

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 375

Introduced by Raikes, 25

Read first time January 12, 2007

Committee: Education

A BILL

1 FOR AN ACT relating to postsecondary education; to amend sections
2 85-9,177, 85-9,178, 85-9,179, 85-9,180, 85-9,181, and
3 85-9,182, Revised Statutes Cumulative Supplement, 2006;
4 to rename and change provisions relating to the Minority
5 Scholarship Program Act; to harmonize provisions;
6 to repeal the original sections; and to declare an
7 emergency.

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

1 Section 1. Section 85-9,177, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 85-9,177 Sections 85-9,177 to 85-9,182 shall be known and
4 may be cited as the ~~Minority~~ Student Diversity Scholarship Program
5 Act.

6 Sec. 2. Section 85-9,178, Revised Statutes Cumulative
7 Supplement, 2006, is amended to read:

8 85-9,178 (1) The Legislature finds that the State of
9 Nebraska has a compelling interest to provide access to the
10 University of Nebraska, the state colleges, and the community
11 colleges for ~~Black, American Indian, and Hispanic minority students~~
12 and students from diverse racial, ethnic, and cultural backgrounds
13 who often find that the financial requirements of postsecondary
14 education ~~often represent major obstacles to such students because~~
15 ~~of the lack of financial resources available to them.~~ are a major
16 obstacle. The Legislature further finds that the State of Nebraska
17 has a compelling interest in attaining greater diversity in the
18 racial, ethnic, and cultural makeup of the student bodies at the
19 University of Nebraska, the state colleges, and the community
20 colleges because of the educational benefits that a diverse
21 educational environment will produce for all students attending
22 the University of Nebraska, the state colleges, and the community
23 colleges.

24 (2) It is the intent of the Legislature:

25 (a) To appropriate funds to support a ~~minority~~

1 scholarship student diversity program to serve as a temporary
2 measure for the purpose of eliminating the statistical disparity
3 between the representation of full-time Black, American Indian,
4 and Hispanic minority students in the undergraduate population
5 of the University of Nebraska, the state colleges, and the
6 community colleges and the representation of such minority
7 students in the student population of the primary and secondary
8 schools of this state and for the purpose of developing a more
9 racially, ethnically, and culturally diverse student body at such
10 public bodies at the state's public postsecondary educational
11 institutions;

12 (b) That Black, American Indian, and Hispanic minority
13 students attending the University of Nebraska, a state college,
14 or a community college will be eligible to participate in the
15 scholarship program supported pursuant to the Minority Scholarship
16 Program Act; and the student diversity scholarship program be
17 designed and implemented so as to achieve a greater racial, ethnic,
18 and cultural diversity in student populations in fulfillment of the
19 compelling interest found by the Legislature pursuant to subsection
20 (1) of this section; and

21 (c) That all funds appropriated by the Legislature
22 for minority student diversity scholarships at the University
23 of Nebraska, the state colleges, and the community colleges
24 shall be used in coordination with private donations for such
25 scholarships and in consultation with the major donors thereof

1 and in coordination with federal grant funds available to ~~minority~~
2 students at ~~such institutions~~ the University of Nebraska, the state
3 colleges, and the community colleges so as to maximize the level of
4 benefits and accomplish the purposes of the act.

5 Sec. 3. Section 85-9,179, Revised Statutes Cumulative
6 Supplement, 2006, is amended to read:

7 85-9,179 (1) All funds appropriated by the Legislature
8 for the ~~Minority~~ Student Diversity Scholarship Program Act shall
9 be used to support endowed scholarship funds which shall be held,
10 managed, and invested as authorized by section 72-1246 with only
11 the income therefrom expended for scholarships.

12 (2) The purpose of such endowed scholarship funds is to
13 provide total or partial undergraduate scholarships for tuition,
14 fees, board and room, and books at all campuses of the University
15 of Nebraska, the state colleges, and the community colleges to
16 full-time undergraduate students ~~from Black, American Indian, and~~
17 ~~Hispanic minority groups which are underrepresented in the student~~
18 ~~population of such public institutions who fulfill the criteria for~~
19 award of a student diversity scholarship and who cannot afford such
20 educational expenses due to lack of financial resources available
21 to them.

22 Sec. 4. Section 85-9,180, Revised Statutes Cumulative
23 Supplement, 2006, is amended to read:

24 85-9,180 ~~(1) Funds appropriated in years prior to~~
25 ~~fiscal year 2000-01 for the minority scholarship program supported~~

1 pursuant to section 85-1,125 as such section existed prior to July
2 13, 2000, shall be used, administered, and distributed only for the
3 benefit of students at the University of Nebraska in such manner as
4 the Board of Regents of the University of Nebraska shall determine.

5 ~~(2)~~ (1) Funds appropriated for fiscal year 2000-01 and
6 each fiscal year thereafter before fiscal year 2007-08 for the
7 Minority Scholarship Program Act as it existed on the operative
8 date of this section shall be used for the benefit of students
9 pursuant to the Minority Scholarship Program Act at the University
10 of Nebraska, the state colleges, and the community colleges.

11 (2) Funds appropriated for fiscal year 2007-08 and each
12 fiscal year thereafter for the Student Diversity Scholarship
13 Program Act shall be used for the benefit of students pursuant
14 to the Student Diversity Scholarship Program Act at the University
15 of Nebraska, the state colleges, and the community colleges.

16 Sec. 5. Section 85-9,181, Revised Statutes Cumulative
17 Supplement, 2006, is amended to read:

18 85-9,181 (1) Funds appropriated for the Minority Student
19 Diversity Scholarship Program Act for the benefit of students at
20 the University of Nebraska and students attending any community
21 colleges who are enrolled in an associate degree program with the
22 intention of transferring to the University of Nebraska shall be
23 used, administered, and invested in such manner as the Board of
24 Regents of the University of Nebraska, in consultation with the
25 boards of governors of each participating community college, shall

1 determine.

2 (2) Funds appropriated for the ~~Minority~~ Student Diversity
3 Scholarship Program Act for the benefit of students at the state
4 colleges and students attending any community colleges who are
5 enrolled in an associate degree program with the intention of
6 transferring to a state college shall be used, administered, and
7 invested in such manner as the Board of Trustees of the Nebraska
8 State Colleges, in consultation with the boards of governors of
9 each participating community college, shall determine.

10 Sec. 6. Section 85-9,182, Revised Statutes Cumulative
11 Supplement, 2006, is amended to read:

12 85-9,182 ~~Awards~~ Criteria for the award of scholarships
13 under the ~~Minority~~ Student Diversity Scholarship Program Act shall
14 be determined by a committee selected by the Board of Regents of
15 the University of Nebraska, the Board of Trustees of the Nebraska
16 State Colleges, and the community college boards of governors.
17 The committee shall include members of underrepresented minority
18 groups and private donors to the endowed scholarship funds. Awards
19 shall be consistent with the intent stated in the act and with
20 the constitution and laws of the United States and the State of
21 Nebraska.

22 Sec. 7. This act becomes operative on July 1, 2007.

23 Sec. 8. Original sections 85-9,177, 85-9,178, 85-9,179,
24 85-9,180, 85-9,181, and 85-9,182, Revised Statutes Cumulative
25 Supplement, 2006, are repealed.

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1 Sec. 9. Since an emergency exists, this act takes effect
2 when passed and approved according to law.