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The second part of the bill is a cleanup measure in terms of an attempt from a 1972 issue, and that is to allow students in private colleges to take advantage of the grant and aid program.

Mr. Chairman, I would hope that that would explain what we are attempting to do. Again I say to you, with the passage of this constitutional amendment, with the hopeful passage of 761 which the Education Committee has put out on Special Education, I believe we're out of the woods and on our way in terms of special education. So first, Mr. Chairman, I would urge the adoption of the Committee amendment.

PRESIDENT: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, members of the Legislature. I have a question I'd like to ask Senator Lewis about the Committee amendment. Is there difficulty that requires you to include the words "as that term is, from time to time, defined by the Legislature"?

SENATOR F. LEWIS: Again, I tried to seek some legal advice and that's what they recommended to me.

SENATOR CHAMBERS: Who did?

SENATOR F. LEWIS: Bruce Cutshall helped on that. Who else? There were at least two or three other people that had some skills, I thought, in drafting of language that I didn't have.

SENATOR CHAMBERS: What was the feeling if these words were not attached? That "handicapp" would be a word with no real meaning?

SENATOR F. LEWIS: That's right, that's right. In other words, "handicapp" and "services" have to be as they are defined by the Legislature.

SENATOR CHAMBERS: Senator Lewis, ... and this isn't to argue against the intent of the bill, but suppose we had a group in the Legislature who, for whatever reason, could be prevailed upon to decide that they didn't want to see the schools integrated. There have been stratagems like this in the South. They would decide to give a strained definition of the word "handicapp" to mean that any parent whose child, for whatever reason, should not be moved, more than a certain distance, could be considered handicapped. This particular provision of the Constitution places no guideline or restriction on how the Legislature can define that word. The Legislature could define the word "handicapp", and the Constitution authorizes it, as a person who does not want to go to an integrated school. The Constitution would authorize that kind of definition. So I think that it's too loose to say "as that term is, from time to time, defined by the Legislature". There should be some kind of restriction as to how the Legislature can define the word.

SENATOR F. LEWIS: Senator Chambers, it was not my intention to do any of those things that you mentioned, of course. It's my concern that we do two things. First of all, we provide the mechanism to allow these students to be educated. Secondly, it has to be done in a way that it's very clear that that's our intention. Again, the