

May 11, 1981

LB 165

SENATOR CLARK: Senator Warner, the motion to return.

SENATOR WARNER: Mr. President, all the amendment does, it is Senator Lamb's bill. It dealt with tuition for the students, you recall, who would have to go out of state and my only concern with the bill as it stands is that the appropriation as I recall is in the vicinity of 54 hundred dollars, I believe or thereabouts. On the assumption there is going to be a handful of students and my assumption is that based upon the survey that was made, a potential number of students it could be significantly more and my presumption is that under the enabling legislation 165, schools could apply in excess of the number that is anticipated and then we will probably be asked to do a deficiency, or at least consider a deficiency for the increased number. What my amendment does is places into law the dollar amount will not exceed the amount currently proposed in the A bill which makes it clear that if substantially more students are considered that the amount will be prorated rather than a possible of a deficiency be requested. And the amount would be prorated ~~then~~ barring action by the Legislature to increase the statutory amount of dollars that can be appropriated. Again, the sole reason is to assure the probability or the possibility of a deficiency being requested because more students, asking to have this consideration than what is anticipated by Senator Lamb, and I think we need that protection. The Legislature ought to have that protection. So the amendment merely states that the total appropriation will not exceed the amount contained in this A bill without a separate action by a future Legislature to increase the amount. I move its adoption.

SENATOR CLARK: Senator Lamb.

SENATOR LAMB: Mr. Chairman, members of the body, I, of course, will oppose the Warner amendment. This is a bill that, when it was in committee was compromised by 50%. The original bill said that if the State Department of Education orders a district to pay tuition into an adjoining state from a Class VI school, and that limits it severely right there when you talk about Class VIs, then the state will pick up that tab which is ordered by the State Department of Education. Where the local school is providing the facilities for those students, but if the State Board of Education decides that those students should go to another state, then instead of forcing the school district to pick up the tab, this bill says that the state will pick up half the tab. In the first instance, when the bill was first introduced it said that the state will pick up all that tuition when so ordered by the State Department of Education. In committee, at the suggestion of the committee members, I accepted a compromise which says that the state will pick up only half