

March 11, 1982

LB 208

SENATOR KOCH: Yes.

PRESIDENT: The amendment is withdrawn.

CLERK: Mr. President, the next amendment is from Senator Koch. It is found on page 1100 of the Journal.

PRESIDENT: All right, now, Senator Koch.

SENATOR KOCH: Thank you, Mr. President and members of the body, you will find as Mr. O'Donnell indicated the amendment on page 1100. It looks to be rather extensive but basically what it does is the following things: It has been brought to our attention that there are some concerns by various members of this body as well as others outside of the body and what we have attempted to do here is to resolve some of these issues, and they are as follows: First of all, what the amendment does it adds language which defines best educative interest criteria. What we have done is we have taken from the past legislative intent in case law the examples. This will make sure the law is used only for educative reasons and best interests of the child, not for tax advantages nor for best athletic program. Some people are afraid there might be some recruiting going on. Having coached once, I know that we are not proselyting that often. We are not that big league. Secondly, it adds language in subsection 1 which provides that the receiving district has a voice in a decision. In other words, the receiving district is going to take that freeholder.....that child or children, would have to give their majority approval. This provision exists in subsection 2 and makes the parties and provisions comparable and a fair approach on both sides of the issue. And thirdly, it adds language which restricts the transportation requirement of a receiving district when the tract of land attached is not contiguous. For instance, if you had a freeholder from a considerable distance away from the district they want to go to, that district would not be bound by law to transport that child or children extensive distances. That parent in that case would no doubt have to transport their children to the line of the existing district where a bus might be available. From there on they could use the transportation so you get away from a problem. And it also removes the repeal of the temporary transfer. This provision has been used very minimally and it is felt that it could be removed from statute. It is being used very beneficially in several areas and should be retained. So I ask for the adoption of the amendment.

PRESIDENT: Amendment on the desk, Mr. Clerk. Read the amendment.

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