

this situation when we realized that the receiving district probably should have some leeway in this matter. So the statutes right now simply say that you can charge no less or you should charge no less than one and a quarter times the per pupil cost, 1.25 times per pupil cost. There is no ceiling on it. So as a result of this, some of the schools or all of the school districts have been raising... quite a few of them have been raising their tuition rates. Some haven't because there is a factor in the equalization fund that if you get more money...if you are getting equalization money and you raise your tuition rates, why you lose a dollar almost for every dollar you get extra, but there are a lot of schools who are not getting equalization aid and as a result this situation doesn't bother them. Any amount of dollars they get extra is an extra dollar. So this is how it came about. There is nothing to control the top. Now the Class Is have gone to court and said this is an unreasonable amount. How it will come out I don't know but I do think it is important that we come up with some kind of a solution.

SENATOR HEFNER: Senator Remmers, one more question. Do you feel that if we pass this bill that court cases will then be done away with?

SENATOR REMMERS: Well, I am hoping that there will be some decision that will release this money as the result of some legislation we come up with. I am afraid that strictly per pupil cost which is an amount that I could probably agree to easier than I can this formula but I am afraid that is not going to satisfy the situations that we have in court today. I think it is going to take something else besides just an outright per pupil cost solution.

SENATOR HEFNER: Thank you, Senator Remmers.

SENATOR CLARK: Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the body, a question of Senator Remmers.

SENATOR REMMERS: Yes, Senator Haberman.

SENATOR HABERMAN: My researcher shows me here that the original bill had a ceiling of three times the district's average per pupil cost, that that is what they could charge, is that correct?

SENATOR REMMERS: That is the way the bill was introduced. Then we had to start someplace.