

low number, LB 208, you can readily see was introduced early in the last session. It's been around here most of last session and all of this session. Here we are down on Final Reading and they come in with a substantial amendment at this point. I think we have the bill in its best possible shape now and we should pass it as it is. Now just exactly what would this amendment do to the schools in the state? Well for one thing it is a lawyers dream. You know, what is substantial difference in curriculum? Who is going to determine that? It is going to be some court some place. In effect, if this amendment is adopted then the courts will be rewriting the school district boundaries all over the state. Then you're going to have the situation that if it is in the best educative interest of one child to transfer into another school, what does that do to the educative interest of the remaining children in that school where in many cases you already have a small school which is struggling to survive and then you have one or more families transfer out of that school, then that dilutes the effectiveness of the school to deal with the rest of the children in that area. So you should not only consider the best educative interest of the child that is transferring out but also the best interest of those children who are remaining. I urge you to look at the amendment and it is on page 1355 in your Journal and it says, I quote, "or substantial difference in the total curriculum of the schools involved." It is not definitive. It leaves it all up to the courts to decide because eventually that is where it is going to wind up. We have a bill that has been around here and been debated many times before, both in committee and on the floor. I suggest very strongly we reject this amendment, pass the bill as is or else kill the bill.

PRESIDENT: The Chair recognizes Senator Remmers.

SENATOR REMMERS: Mr. President, members of the Legislature, this amendment is not a minor change. It is major surgery. It gets it back to where it was here some time ago. As Senator Lamb just said, this opens it up for the courts to decide what substantial differences is. The state accreditation is one thing that we have recognized as designating quality education. We do have a problem with trying to define quality education. We really have never come up with a very good formula. Maybe if you were going to do this we should include something that would say that if the school total achievement on standardized testing was less in the other school, then you could transfer and I think you would find that these transfers would take an entirely different direction. This transfer bit reminds me a little bit of the discussion we had some time ago about the panhandle of Nebraska