

PRESIDENT: Senator Koch, you may close then on your motion to return.

SENATOR KOCH: Mr. Chairman, members of the body, Senator Lamb says that LB 208 has been around a long time. I submit to you LB 127 has been around longer than that. This is not a substantial amendment. The other day when we were discussing 208 Senator Lamb, Senator Remmers and Senator Vickers offered an amendment which was substantial. What they did is they took part of 208 which is in case law right now in the court of the State of Nebraska on beneficial interests of children for educational purposes. We had that in that bill. The Education Committee spent a lot of hours on freeholding and transfers. 208 when it came out of the Education Committee had a considerable consensus of support. Again, there are people here who think 208 is a reorganization bill and that is not true. It is not reorganization at all. I remind you the burden of proof has to rest with the parent who is petitioning to leave the system where they are to go to another system because they think the beneficial interests are of greater opportunities for their children. I remind you also when they freehold now they have to stay there until they sell that property and someone else buys it who then might freehold back to where they came from originally. Whether we like it or not, there are some school systems that offer a bare minimum and I talked to you the other day about accreditation and the hours that you can offer and curriculum offerings from anywhere from three hundred to a thousand, you can still be accredited. If you really want a role and mission for public schools I suggest we ought to get LB 383 off of General File. Then you've got a role and mission for public schools of what the minimal standards should be but this body did not see fit to move 383 earlier this year when we discussed it. Yet we have a role and mission for the postsecondary schools of the State of Nebraska. I think that is odd. We have a role and mission for postsecondary, no role and mission for the public schools, yet the Constitution says the public schools are our responsibility of the state legislators and policymakers. So what Senator Beutler and I are attempting to do with this amendment is place back into the law, a reference which says there shall be a substantial difference in curriculum offering. That will take away the nitpicking and they won't go to the court. They go to the State Board of Education for a final determination and then I suppose if the State Board doesn't satisfy it they can then go to the court. That is the parents' last redress. I would remind you also the receiving school system must approve that freehold. They must approve it. If they don't approve it then of course, the person stays where they are. So what Senator Beutler and I are attempting to do, and I'll yield the rest of my time to