

February 22, 1989 LB 183

SENATOR BAACK: No, it's permissive. That language is permissive. If you read that language, it says...it doesn't say shall, it says may include. But it doesn't...that isn't the only things that it can include.

SENATOR LAMB: I see.

SENATOR BAACK: It says may.

SENATOR LAMB: But then I guess...you know I have to go back to the fact that what happens to the school where the students leave? On the front page here of this Omaha World-Herald story that I circulated, you read down there, well a number of things. One is that this state fund may be unconstitutional. I think you all know Mr. Stroh who is saying that...and we have asked for an Attorney General's Opinion as to whether this state fund can be funded from property tax. You're having all these schools that send their...that a student transfers out of, and so then the money, the property tax money flows from that district into this fund. And then the tuition of the receiving district is paid out of the fund. However, this is a state fund. If there is not enough money, as I understand it, in that fund then the state will kick in whatever it takes. So it is a state fund, but it's a state fund which is being financed primarily by property tax. And I hope that some time soon we will have an Attorney General's Opinion.

SENATOR BAACK: I do, too. I agree with that. I hope we do, too.

SENATOR LAMB: Thank you.

SPEAKER BARRETT: Senator McFarland, please.

SENATOR MCFARLAND: I'd call the question.

SPEAKER BARRETT: Yours was the last light, Senator, it will not be necessary. Thank you. Senator Baack, would you care to close on your amendment to the committee amendments.

SENATOR BAACK: Just very briefly, Mr. Chairman. I think we've had a good discussion of this amendment. All I am trying to do is trying to make this a more meaningful process, and that is what this amendment does. It may not solve all people's problems with it, I understand that. But I think it does make