

April 5, 1989

LB 651

Senator Hall a couple of questions.

SENATOR HALL: Mmmm, hmmm.

SENATOR SMITH: Senator Hall, when Senator Nelson asked the question about whether this changed anything or not, what you said was that it's not changing the law. What you were trying to say is that the Constitution says something different than what we're doing in law? Is that what you're...?

SENATOR HALL: No, the statutes currently provide, Senator Smith...

SENATOR SMITH: Excuse me, the statutes, I meant to say that instead of the Constitution.

SENATOR HALL: Right, sure, I understood you. The statutes currently provide for basically the same thing that LB 651 contains. What LB 651 does is clarify that in the statutes, and with the committee amendments that Senator Withem and the Education Committee adopted to the bill, it protects some of the interests or some of the problems that the public institutions felt were there or they were threatened by with 651. What's happened is the Postsecondary Education Commission has basically ignored what is in statute to a certain extent and it's never been a problem until there was money there. Since there was never any money there until we appropriated money into the fund, there has never been a fight. And now that we have money there is a fight, and so one side is bringing in language to clarify it the way it was originally...

SENATOR SMITH: Intended.

SENATOR HALL: ...put into statute, the other side saying, no, we like it better the way it is.

SENATOR SMITH: Okay, in other words then what this would do would be, by putting it the way, by confirming what is in statute, you would be...a larger percentage could possibly go to private institutions because even though it is need based, in my understanding it is based on the cost of the tuition rates and so on which necessarily are much higher in private institutions because they lack that public support.

SENATOR HALL: That's correct. Hastings College as an example.