

an amendment that first of all doesn't take effect until 1997, and second of all, we probably, in my opinion, we definitely do not need it all with 742. So I will oppose the Pedersen-Avery amendment. There's absolutely no reason for it. All it's doing is trying to push off at this time some of the costs I think the school districts are now incurring and say we'll take those over at the state level. And I don't think that is something the state should do on the spur of the moment idea like this. I think that's something that should be looked at, looked at across the board, across the state...

PRESIDENT ROBAK: One minute.

SENATOR WITEK: ...and see how much these costs are, which school districts are incurring these costs and for what reasons and then come back and look at this type of an amendment, but certainly not tonight when we're trying to get through a task force to begin looking at the costs in special education and talk about whether the state should absorb the cost of litigation in these areas. So I hope you will not adopt the Pedersen-Avery amendment and decide that it's definitely not necessary at this time to do so. Thank you.

PRESIDENT ROBAK: Thank you, Senator Witek. Senator Bromm.

SENATOR BROMM: Thank you, Madam President. If I could ask, I don't know, Senator Pedersen or Senator Avery, whichever one is the primary author of this amendment, a question.

PRESIDENT ROBAK: Senator Pedersen.

SENATOR PEDERSEN: Senator Bromm.

SENATOR BROMM: Senator Pedersen, was there any particular rationale in the wording that this would apply to lawsuits filed on or after January 1 of '97? Do you know how that date was picked?

SENATOR PEDERSEN: No, I'm not sure, Senator Bromm.

SENATOR BROMM: Does this mean that if the claim rose before that date but they waited to file it till after that date, the state coverage would apply but if they filed it before January 1 of '97 it would not apply?