

is also partially to allow the expertise of the Department of Education to be brought to bear, it might be better to allow the state the right to intervene in any of these cases rather than having to be a party defendant who is, I'm not sure if they're jointly liable or if they're liable for half of it or if they're liable for all of it jointly with the school districts or how that works out. I think that poses some concern. I don't know how many lawsuits are filed in any given year but it is something that without having more of that background I don't know if this is a...at least the first part is, and I don't have any problem with the second half of that, but at least with being named a party defendant that concerns me a little bit as far as whether we're doing that without knowing what kind of exposure we're looking at. So I, like I say, I do have a concern with adding that new Section 8.

PRESIDENT ROBAK: Thank you, Senator Lindsay. Senator Stuhr.

SENATOR STUHR: Madam President and members of the Legislature, I'm supportive of this amendment because I have concerns about the proposed changes in the rules and the regulations and I also have some concerns about the waiver. I'm wondering if, talking about being vague, I wonder if Senator Bromm would respond to some questions.

PRESIDENT ROBAK: Senator Bromm.

SENATOR STUHR: Particularly in the area of the waivers that was in your original amendment, you're talking about the state department, the Board of Education shall provide a process for the waiver of rules and regulations. Could you explain what you mean by that?

SENATOR BROMM: Do you want me to give that to you in generalities?

SENATOR STUHR: All right. I mean there's nothing really in the amendment that goes into any detail about these waivers.

SENATOR BROMM: I, as well as some others met with the Department of Education special ed representatives for quite some period of time discussing wording for that and trying to figure out how much specificity to try to put in the statutes and learned that the Department of Education has had a process for waivers in place in the past. I think what they intend to