

special education costs and shall be reimbursed by the state under the provisions of the act. That's what this amendment does. There seemed to be a lot of support for that provision standing on its own. This is to see if there is support for that, it's not an attempt to prolong things. I'd suggest we've had a lot of debate and discussion on it, that we have a quick, up or down, vote on it. There's policy rationale for doing it, which has been expressed before. Some policy rationale in opposition to doing it. Again, I think that this is the...this is the heart of the Avery-Pedersen amendment. We were trying to get it divided out, didn't get it divided out, this is another way of doing that to give you an opportunity to vote your preference on Section 9.

PRESIDENT ROBAK: Thank you, Senator Withem. Senator Abboud.

SENATOR ABOUD: Thank you, Madam President, members. Senator Withem, if you'd yield to a question.

PRESIDENT ROBAK: Senator Withem.

SENATOR ABOUD: You're left with the...the only amendment then, I'm looking at Senator Pedersen's handout, and the only thing that's left in this amendment is Section 9 then?

SPEAKER WITHEM: Yeah, it would be Senator Pedersen's amendment, lines 7 through 13 is another way of referencing it.

SENATOR ABOUD: Okay, thank you. Well, I listened to the arguments presented by Senator Bromm and others that what the result of this particular amendment will be. I think it will result in more litigation, which I guess it's good or bad, depending on whether or not you earn an income doing it. And Senator Schellpeper offered a suggestion that maybe the best approach to dealing with this problem would be just to state in the statute that no attorneys get paid for this type of litigation, it might discourage...might discourage the litigation as well. But we all know that's not practical. But I think that this particular proposal, by guaranteeing to the school districts that their bill will be paid, win or lose, will certainly encourage their desire to fight every battle, whether or not it's in the best interests of the state, the school district or its...the constituency that represents that school district. I think the fact that they do have a stake in it, even though it may be less than what the state's interest or the