

state's interest in is still a factor in their consideration. And I was also persuaded by arguments offered by Senator McKenzie that nearly everyone of these cases that has been filed in recent years have been won by the school boards. And they probably only take on the cases and take them into litigation if they feel strong...strong...strongly enough that they have an excellent chance of winning the cases, otherwise these cases never have...or these disputes never end up in litigation, they would just be settled out since the state is picking up the lions share of the bill for special education. And they would probably go into court on cases that they felt very strongly about, and then they're zealously fought by the attorneys that represent the school districts. I think I agree with the other suggestions that maybe this is better left until next year when a separate bill can be brought in, when we can more fully address the issue of what is the best way for us to deal with the legal expenses that are a result of special education. But I feel that guaranteeing that their legal fees will be paid, or at least one-half of their legal fees will be paid, as well as their expenses only encourages litigation and would encourage problems with the school boards. So I'm going to be opposing this particular amendment.

SENATOR HALL PRESIDING

SENATOR HALL: Thank you, Senator Abboud. Senator Schimek, your light is next.

SENATOR SCHIMEK: I yield my time to Senator McKenzie.

SENATOR HALL: McKenzie, you're recognized.

SENATOR MCKENZIE: Thank you, Mr. President and members. I had some questions for Senator Withem, I wanted to get on the record his intert and some, I guess, responses to what we might do following our investigation of this issue, if in fact this is adopted.

SENATOR HALL: Senator Withem, would you respond?

SENATOR MCKENZIE: Thank you. Senator Withem, if you would yield to a question.

SPEAKER WITHEM: I would be delighted to, yes.