

agreement would involve? Would that not involve the proper amount of compensation that is to be paid by one district to another if a student is sent there? Why would we dictate one of the critical provisions that it is per pupil cost? The second difficulty with that language is that I doubt that there are more than one or two people in the State of Nebraska that would agree on what per pupil cost is. Does per pupil cost include special ed costs? Those are totally reimbursed by the state, you can argue that...or 90 percent reimbursed by the state. You can argue that those should not be included in the computation of cost because the receiving school district would get paid twice. Does per pupil cost include Chapter I costs? Does per pupil cost become calculated based on the census with the new student or without the new student, or students, because you might have more than one. Those are only a suggestion of the difficulties that are inherent in per pupil cost, and, in fact, if my recollection is correct, school districts across the State of Nebraska used to annually spend thousands of dollars trying to litigate what cost per pupil was. I don't see why we should put them back in the mode of doing that again. In principle, alternative schools may be a good idea. I am not prepared to say that they aren't. Alternative schools were the subject matter of a bill that Senator Withem brought to the Education Committee. That bill was held in committee because we didn't know how they were going to work. We couldn't figure out how to implement them across the State of Nebraska, particularly if we made them into a mandate, and that is what would be involved here. And if it need be said, the words need to be said, it would be an unfunded mandate because this is going to cost somebody some money to implement, particularly if it is the only alternative they have. And as I noted earlier, not only is it an unfunded mandate, we would not have any idea of how much it might potentially cost because we don't know what it is going to look like, and wouldn't know what it was going to look like until the Department of Education was done promulgating rules and regulations. So it has two defects, an unfunded mandate, and an undefined program. I don't see how we can be expected to do that today on the floor of the Legislature. It is not an essential component of the bill. I do believe that we need to adopt the balance of the amendment dealing with compliance with the federal standards for gun-free schools. We have a great deal at risk if we do not. We do need to do that. We don't need to attempt to make policy with regard to alternative schools. And so I hope that you will agree that we can strip those provisions from the bill, from the amendment, perhaps take