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he is available.

SENATOR CUDABACK: Senator Raikes.

SENATOR KRUSE: These questions are for clarification so that we understand, all of us, what we're doing here more than anything else. The local schoolboard is responsible to plan and pay for the special ed. Is that correct?

SENATOR RAIKES: That's correct.

SENATOR KRUSE: They aren't under a 5 percent cap. I'm kind of pursuing this 5 percent figure, is it?

SENATOR RAIKES: No. The 5 percent cap is strictly a statutory creation, if you will, to limit the state's contribution for reimbursement.

SENATOR KRUSE: So...

SENATOR RAIKES: So if a particular school system...I think what you're asking, if I can...

SENATOR KRUSE: Go ahead.

SENATOR RAIKES: ...go on, if a particular school faced a situation where in order to meet the obligation of the special ed programs they were required to provide, more than a 5 percent increase in expenditures was required, they would in fact need to do that.

SENATOR KRUSE: All right. So the 5 percent then applies to us, not to them, and that's a figure we chose?

SENATOR RAIKES: That's correct.

SENATOR KRUSE: The obligation for paying for special ed, is that more with the local district or with the state? I've heard it kind of both ways.

SENATOR RAIKES: Well, and I think probably there are a couple