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FLOOR DEBATE

April 11, 2006      LB 1024

heard the opening on AM3237. We're now open for discussion on that motion. Senator Landis.

SENATOR LANDIS: I'm going to vote for the Heidemann amendment. I think it brings some equity to the issue. That's fine by me. I'm going to guess that we are not going to be able to find overlapping areas of agreement sufficient to move forward together, and we're either going to wind up on one side or the other side of a great divide or a chasm. That's unfortunate. One thing that has emerged successfully out of the debate so far, and it's encapsulated in LB 1024, is a recognition of a shared obligation or responsibility for the kids in the metropolitan area. That's envisioned in the idea of the learning community. That idea itself is a step forward, that's a good one. Why wouldn't that be enough from the OPS perspective to bring their compliance, because isn't that what they're after? Well, in my business in trying to solve problems, one of the tools that you use is called the BATNA. It means the best alternative to a negotiated agreement, and it means what are you going to do if you don't make a deal? And if your walk-away position is better than the deal on the table, you walk away. And so far, we've not formulated a set of ideas that is better for the OPS than relying on the 1891 law and pursuing the lawsuit. The lawsuit is a better alternative from their perspective, I would guess, than what we're talking about here. It's better than LB 1024 with the Chambers amendment attached. It gets essentially to the learning community idea but it also gives them administrative control of those areas as well, which is exactly what the suburban districts can't live with. And one of the reasons that structurally we don't have an agreement is, we haven't fashioned a set of ideas that are equal to or better than a lawsuit from Omaha's perspective, in my guess. We do have a deal better than that alternative for the suburban schools because they're left with fighting that lawsuit. And if they lose that lawsuit, then they're swallowed up. What LB 1024 does for them is it continues to acknowledge their existence and they get to survive. So the deal is better for them than their walk-away position. They've got to win the lawsuit, which is a risky proposition. For them, even if they...they have to win that lawsuit to be better off than LB 1024. And if they lose the lawsuit, then LB 1024 is better