

May 16, 1975

but this 522, I can't keep still any longer. LB 522 will require public school buses to transport nonprofit school pupils in space available basis. If a class six district transports secondary but not elementary public school children, would it be constitutional to transport private elementary pupils? When space is available, does that mean when you trade a 48 passenger bus in, you buy a larger one to make space available, or do you buy the same size to eliminate private school students? The Attorney General's opinion has reservations. Senator Lewis has said that it is perfectly all right. The Attorney General's opinion has reservation. The United States Supreme Court, I understand, says that it is not constitutional. A few years ago, I believe it was 1970 or something of this nature, we put it to the vote of the people and they said no, so we're saying yes now. Do your buses got outside your district to pick up nonresident high school students? Are there private school students who live outside your school district who could benefit from a ride on your buses? Non-resident students who attend your public schools must pay for their rides. Private school pupils who ride public school buses would ride without cost. How can the taxpayers of one district be required to subsidize the tax fares of another district without violating the constitution? As one who attended a church related school, it is my opinion that if a church or if a private organization wants to support a school, then they should have the right to do so. If they want help from the public taxpayers, then I think the public has a right to an input as to what goes on inside the school. I strongly recommend that we turn this bill down and kill it.

PRESIDENT: Senator Schmit.

SENATOR SCHMIT: Mr. President, I would like to ask Senator Lewis a question. I have a particular problem in District 56 where my farm is located, it operates a school there and the buses travel across, I believe, thirteen different school districts. My children, and I'm the father of ten so I think I know something about it, live outside that school district, they go to a public school, I'm required to pay transportation to ride the District 56 bus. Now, can...but by the same token, if I read this bill correctly, the other students who live outside the district will ride the bus free even though my children who attend the public school must pay transportation notwithstanding that fact that my farm supports the District 56 school. What are you going to do about that?

SENATOR LEWIS: Well, Senator Schmit, I think that's a very excellent question and the amendments following will solve that problem.

SENATOR SCHMIT: Will you tell me exactly how it solves it, Senator Lewis?

SENATOR LEWIS: Senator Dworak, would you read that amendment to him now? If that's permissible Mr. Chairman.