

because, in fact, these amendments were offered by Senator Haberman. But quickly, LB 85 was designed to allow schools, if they chose to, to open up the use of their buses to transportation for the elderly, however, that there would be a contract and that any maintenance, operation, insurance costs or other kinds of operational costs would be transferred to the contracting party so that the school did not incur any cost by allowing these organizations to utilize their buses. The committee offered...Senator Haberman offered and the committee accepted three amendments which actually are now in one amendment on the back of your committee statement note. It indicates that the buses can only be used other than at times of the normal school day or when the school is not in session. Secondly it indicates that the school shall not be liable for any costs or damages to any person riding in the school bus pursuant to this section unless it is caused by the gross negligence of the school district. In other words, if the bus is kept in absolutely terrible repair and the school knows about and should know about it and doesn't give notice of that to the contracting party, that might be gross negligence. But otherwise, there is no damages that can be secured from the school district for allowing these buses to be used by another organization. Lastly, it indicates that no school shall be forced to modify their bus because of a contract entered into. For example the contract is entered into and then the contracting party comes back and says, "You have got to modify your bus for handicapped access, and now that you have made the contract, you have got to make the changes in your bus." Those are the terms of the committee amendments and I would defer the rest of my time of explanation to Senator Haberman who, in fact, sponsored the amendments. Senator Haberman.

SENATOR CLARK: Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the Legislature, I am not opposed to the use of these buses by the elderly. In fact I think it is an excellent idea. However, I did poll my schools and it was two to one against this as one of the reasons was that it would be an administrative nightmare for the schools to try to keep track of where is their bus or where are their buses. Also the problem came up is this, the problem is that the bus is gone and it is filled with the elderly and it has to be back out in my particular part of the country on a tight schedule to get these kids back out into the country. So if someone on the bus becomes ill, they are going to take that person to the hospital or to the doctor. Thereby the bus could miss the schedule and not be back at the school. Then this is going to throw the entire scheduling of the bus system out of whack and put everybody