

required to do certain things and yet with this language in the appropriations bill it's going to put them in an uncomfortable position. However, I think perhaps the Education Committee could have alleviated part of the problem by advancing the bill which the Governor requested. At this point I suppose it's too late to do that, but I believe maybe with this intent language here it does not exactly mandate that this be done, that we leave this intent language in there to keep people on notice that there is a problem here that these costs are escalating that's even been charged that some superintendents are abusing the system, some schools may be abusing the system and that after this study that Senator Vickers mentioned this summer, maybe a bill similar to the one the Governor has had introduced would be advanced. So I guess I see no problem in leaving this language in there because it really does not mandate anything.

PRESIDENT: Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, certainly I can appreciate the concerns that Senator Vickers has, however, similar to what Senator Lamb has indicated it is my impression at least that there are a number, at least some things that the Department of Education could do in the way of rule and regulation apart from the statutes that would work toward cost containment. It is my impression that there are some things that could be done in the way of audits that would assist in cost containment. It is the same argument we...or same discussion we had a few days ago. If you wait until next session that means any impact will not occur until '87-88 or two years away because this is a reimbursable program. Some concern was expressed earlier about the amount of the deficit bill and traditionally nearly half or 40 to 50 percent at least of those deficiency bills deal with special ed. by the way they are designed, but it continues to grow and can be argued that the growth is not appreciably different than the general cost of schools. That argument has been made, but I've become convinced after...this will be the fifth session now, that there have been efforts to at least put in some language in the statutes that would assist the Department of Education both to monitor, audit rules and regulations to provide some cost containments has never been successful. The bills are always killed to be studied later and this intent language at least would give a strong indication that we're serious