

been following, places an unfair, an unwarranted hardship upon private institutions. Current law does not contain a stipulation that private and independent institutions must come up with their own match. What they are saying, in essence, is that Nebraska, you are the only ones that are out of step. We are insisting that you get back in step or this will actually put you out of compliance. And they are literally referring to this in the Senate as the Nebraska language and that is why they are going to do this and they have actually put...they actually have gone...on a federal level they are actually putting out a regulation already to comport with the House bill that has already been passed so they are assuming that the Senate bill will pass and they are putting a regulation out that says, in essence, so that they will be ready for it right off the bat, and say, Nebraska, you don't qualify, you don't get the money.

SENATOR DECAMP: Okay, then, no offense intended, but I am not sure my question was ever answered. My question was, let us assume for the sake of discussion, let us assume that the federal government does not pass whatever rules or whatever laws they intend to on this subject until after this Legislature is out of session. It is my understanding, black and white, no ifs, ands or buts, that that cannot apply and will not apply until the Legislature is in session and had a chance to address it next year. And irrespective of the fact that they may have drafted tentative regulations based upon a bill that is not law, those regulations cannot, do not and will not become operative until such time as a law is actually passed and then they would not apply until such time as the Legislature of this state has had an opportunity afforded to it next year to, in fact, make any technical corrections. Now, that might be true in the case of a special session that occurred after the law was passed, but as a practical matter at this point it would not be necessary and it might well be inappropriate to go ahead and add this additional money.

SENATOR GOODRICH: Okay, let me respond to that then...

SENATOR DECAMP: Why not.

SENATOR GOODRICH: ...and get directly to the point and that is that I had the question, the specific question you are asking me is, will we have a chance to get in compliance after this legislative session since that won't become effective till after this legislative session.