

adoption of the amendment.

SENATOR HANNIBAL: Thank you, Senator Marsh. Senator Goodrich, would you care to close...Senator Labedz, excuse me. Senator Goodrich, would you care to close on your amendment, please.

SENATOR GOODRICH: Yes, Mr. President, but I would like to give a couple of minutes to Senator Hoagland.

SENATOR HOAGLAND: Mr. President, let me, if I might, clarify some of this retroactivity of current law situation that is being alleged. It is and it has been since the mid-1970s in violation of the Congressional statute for Nebraska not to match these funds. The point is the department administering the program has never promulgated rules and regulations to enforce that. And when the Nebraska situation was pointed out to the Congressional committee last summer, the extent to which Nebraska had been out of compliance and was nonetheless receiving the funds, the department was instructed to develop rules and regulations to enforce it and they are in the process of promulgating those and they will be promulgated shortly. So it is not a matter of passing a new law. It is not a matter of whether the new law is going to be retroactive or not. The law is on the books and has been on the books for about ten years. The breakdown at the federal level has been that the enforcing department has never promulgated rules and regulations to enforce the law and they are about to do that. And there is going to be no problem with any retroactive effect of those enforcement regulations, if you want to call it that. I am not even sure you could call it a retroactive effect once those regulations are promulgated. So this is not a mythical problem. And with that, Senator Goodrich, perhaps you would like the rest of your closing time.

SENATOR GOODRICH: Thank you. That, in essence, is what I was trying to convey that the Senate bill is literally making sure that the regulation gets promulgated so that the department has no choice but to finish promulgating that rule and they are supposed to have that done this summer sometime. So, consequently, I think it is urgent that we go ahead and adopt this amendment to put us in compliance because they have already said that if we did the Governor's bill, we would be in compliance. Well, this is, in essence, the same thing, so we would be in compliance and we are not going to be disrupting the education of all those students all the way across the state that are going to school on the SSIG grants. Now, granted, if