

SENATOR CHAMBERS: ...I don't trust what is being done here because it still leaves the possibility of some children being unfairly labeled and crippled the rest of their lives.

SENATOR CARSTEN: Thank you. Senator Higgins, please.

SENATOR HIGGINS: Thank you, Mr. President. I would like to ask Senator Vickers if he would answer a question or two for me.

SENATOR VICKERS: Certainly.

SENATOR HIGGINS: The original bill says that reimbursement for up to 90 percent of the amount expended, pursuant to Section 43-607, for actual transportation expenses per year for children, children with mental retardation. How does this amendment or the committee amendments affect the original bill as far as the amount of reimbursement?

SENATOR VICKERS: The original bill, as it was drafted, the key to the original bill was the new language up to 90 percent. The "up to" meant that the state would no longer be held to its commitment to reimburse at 90 percent, but instead could have reimbursed at something less than 90 percent, whatever that percentage might be. The committee amendment instead sets up the mechanism where it takes all of the children that are in special ed, sets those that are moderately and severely handicapped, puts them over to the side and says we are still going to reimburse those at the full 90 percent, but the rest of them who are mildly handicapped, then we tried to change the definitional language of that mildly handicapping condition so that it will not...that school districts will not be in a position where they will have to take in more children, perhaps, in that area, or give them a little bit more flexibility, so they keep them in the regular classroom. It takes that group of students and caps that amount of dollars that this Legislature will appropriate next year at that level. From then on, the increases on that side will be tied to additional appropriations that will have to be appropriated by this Legislature, specifically raising it, or it would be tied to an increase in state aid, or a decrease in state aid. If state aid goes up or down, that will go up or down, but it won't go up automatically, like the other part does.

SENATOR HIGGINS: Thank you, Senator Vickers.