

SENATOR WALDRON: I estimated at the hearing that we take about one attorney and maybe a couple clerks. Now if you by putting it, that was by putting in the Department of Labor or the Department of Agriculture, so we are estimating about \$50,000 a year for the operation of this, because you have got to have some supplies and... Now you put it in the Attorney General's office and I think that the fiscal impact will be less because you won't have to hire an attorney especially because you have plenty of attorneys in that office that have the time. You will still need to have the Clerk and the paper and the stamps and things to handle the complaints.

SENATOR PROUD: OK, now, if I have got the right amendment here, there were two put on my desk, both initialed by you this one is dated January 25, 1974. No I have yours dated January 25, 1974, it says under section nine, the Attorney General may conduct research, hold public hearings, make inquiries, or investigations and publish studies relating to consumer sales act acts, or practices, now it would seem to me that if the Attorney General has this broad authority to make inquiries and investigations that there could possibly be no end to that. I mean we are talking about one or two clerks and so forth and if he is really going to find out anything, under this he has the authority as I read it to conduct hearings all over the state, as many times as he wants, is that correct?

SENATOR WALDRON: Senator I don't think...I...he...he could do that if he is that aggressive. But you have got to remember on the budget as you well know that his budget will come to the budget committee a each year in this legislature. What he does, he has to submit a report every year to the legislature everything that he does will be under review by this legislative body and his budget will be constantly under review and I don't think that you are going to have a man out holding public hearings everyplace in the state. This would just be in cases where he felt a public hearing was needed. Of course he would have this authority and I believe that he should have.

SENATOR PROUD: Now can he make a rules and can he issue regulations under this act?

SENATOR WALDRON: Senator Proud, the Attorney General would have the right to make rules and regulations under this act.

SENATOR PROUD: But can he decide something as a misdemeanor or a felony or whatever? Can he make up a rule and the a that is not in the statute itself, and if somebody doesn't follow that ruling they are guilty of a crime?

SENATOR WALDRON: Senator, here is the proceedings. Now if a violation a...a..a violation of this act is a misdemeanor a violation of an injunction or an order of the court under this act is a felony, but now he has the power to make subsequent rules, he has this power and he has to follow the rule making procedure under our administrative procedures act. That means that on any rule that he makes, he has to hold a public hearing and you know that rule then has to be approved by the legislature, if it is not rejected and we have a committee of rules and regulations which Senator Duis is Chairman of and it has been very active in this area, we haven't had much problem in ruling making areas that we have given other departments. I don't think that this will be a