

and I am suggesting that this Legislature should have an oversight of rules and regs and that it should be a perfunctory exercise after, after those who are regulated have lived with it for one year. The bill provides that on the anniversary date of a rule or regulation the revisor of statutes, who would be a third disinterested party but representing legislative interests, the revisor would conduct a hearing if someone wishes to have that hearing held and at that hearing the agency that issued the rule and reg and the party regulated would appear before and under the control of a third party. Right now anyone who does not like what the agency does appeals to the agency and that is something about the chicken and the fox. The notice would be given. If there are no persons objecting, if there are no persons who want to be heard on the rule and regulation, there would not be a hearing. If someone wishes to be heard and the hearing is convened, then the possibility of a solution being arrived at would terminate the hearing. In the event that those regulated and those regulating cannot achieve a solution, then the revisor of statutes would bring to the attention of the proper committee of this Legislature, the fact that as a matter of oversight, that law, that statute amended by rule and regulation is not performing satisfactorily and the committee could then take whatever action it deemed appropriate. But I think it is long past time that we start looking at some of the things we leave in our wake as we go through here. We create statutes. We give an unknown party the power of rule and regulation and I think it is time the taxpayer had a chance to have his day before an impartial hearing officer without having to hire an attorney and go the route that most of them would have to go. I think it is a very good function of legislative oversight and I move its adoption.

SENATOR CLARK: Senator Johnson, do you wish to be heard on LB 712?

SENATOR JOHNSON: I do, Mr. Speaker. Members of the body, I am a member of the Administrative Rules and Regulations Committee before which LB 712 was brought. Unfortunately it was brought in the evening and I did have to be back in Omaha so I wasn't able to hear the testimony concerning this bill. I note in my bill book that two persons did speak on behalf of the bill, Roger Keetle, whom I believe is a lobbyist for the Hospital Association, and Senator Murphy who believes with some degree of rightfulness that the administrative process sometimes is out of hand. Had I been present I am inclined to believe I would have voted against the bill. I don't think I would have supported LB 712 and the reason why I say that and I, of course, am now in a position where I can vote against