

February 14, 1980

LB 712

SENATOR JOHNSON: Anyone who wants to challenge a regulation who claims it does not work the way it ought to work, who claims the legislative intent is not being carried out can go through the Administrative Rules and Regulations Committee. I personally think that the benefits to be gained by LB 712 are far outweighed by the kind of time that will be required of state employees in coming forward on the first anniversaries of all regulations in the public hearing process and for that reason I would oppose the bill.

SENATOR CLARK: Senator Kelly, we have got two minutes left on the bill.

SENATOR KELLY: I support this based on the fact that there are twenty regulations a week coming in and they need some oversight, period.

SENATOR CLARK: Senator Wesely, we have two minutes left and at that time we are going to take a vote on the bill, up or down. Senator Wesely. Senator Murphy, do you wish to close?

SENATOR MURPHY: If I may, Mr. President, I think Mr. Johnson made my point very succinctly. Rules and regulations go through this place. The Attorney General checks them for technicality. The Governor signs them and they are in place. There is no way to know prior to the adoption of that regulation what living under that regulation is going to amount to and that is the thrust of this bill. After, after we have been subjected to the rules and regulations for one year when we get to know what in reality the effect of that regulation has, then you may if you wish, ask for that hearing. There is no indication whatsoever nor no reason to believe that all rules and regulations will be subjected to an annual hearing but Senator Johnson pointed out very sharply that right now I can appeal a regulation and I get to appeal it to the guy that wrote it. If I don't like that I can hire an attorney and go through court and I don't think this Legislature ever intended to burden the people of this state with those kind of procedures, but the very thrust of this bill is that it comes into effect after one year of living...

SENATOR CLARK: You have thirty seconds, Senator Murphy.

SENATOR MURPHY: ...of living with that regulation. I say the people of this state very much want and need this piece of legislation. I move its advancement.

SENATOR CLARK: The question is the advancement of LB 712. All those in favor vote aye, those opposed vote nay.

CLERK: Mr. President, Senator Clark voting aye.