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LB 877

the policy I see about six different places where the Department is ordered to make rules and regulations for that section and it will come up again, and I recognize this as rather specific rule-making ability. I would like to have you comment on that, and my question along with your comments will be, are those too restrictive? Are they such that we can make them so tight that there is going to be areas in giving authority that we miss?

SENATOR DeCAMP: Okay, very good question, Senator Kelly. It has been my experience in observing rule and reg power given to state agencies and state bureaus over the past many years that we come into the Legislature in this state and every other state, we have a general idea.... want to do something good or want to correct this, and we just give a department, say, you shall do this and adopt proper rules and regs, and then maybe something does or doesn't get done, maybe rules and regs go in a completely different direction than the Legislature ever anticipated, but, in essence, Legislatures here and elsewhere were turning over to agencies law-making power far beyond what they were intended to have in these administrative agencies. This legislation says, okay, we will be very specific. We will be very detailed. We will use the model acts and will then be specific as to what they have to do with rule and reg, how far they have to go, so that we can't come back later and say, you did or didn't do this. It is very specific. I think this should be a policy, personal opinion, that this Legislature should adopt in this and other legislation in the future....don't be giving blanket rule-making power without a lot of direction, without a lot of specificity and then we can't complain later if the law isn't followed or if something is not done. So I am quite specific, but it is along guidelines that have been developed at the national level. It is tested concepts but it is very specific, I concede.

SENATOR KELLY: Thank you, Senator DeCamp. My other concern which I would give to you in a question is that I am sure, contained in this bill, or in referring to statute numbers, what the financial responsibility of these writers of insurance would be, but I am not able to discern what that is, or my question would be, whereabouts in 877 do we write in financial responsibility for the insurance company or underwriter that would help Senator Johnson in his quest for satisfaction?

SPEAKER MARVEL: You have got fifteen seconds.