

made for that because it violates both the principles of separation of power and the doctrine of representative government. However, Legislatures have neither the time nor the day-to-day operational talent to create all of the laws, and in this case it is rules and regulations, to enforce the statutes that they pass. So we continually have a little bit of distrust, I think, on the part of the legislative bodies, not only here but across the United States, with regard to the authority of the executive branch, the various agencies, therein, to write rules and regulations. On rare occasion, on rare occasion, either through carelessness or lack of knowledge of intent or whatever the reason, rule or regulation may be written by a government agency that does not accurately reflect either the language of the enabling statute or the intent of that particular legislative body. The Nebraska Legislature, over a great number of years, has made a number of attempts to provide some oversight. Now we are constitutionally prohibited by Supreme Court decision from affecting the content of rules and regulations by any means other than coming into session and passing another law to correct what we feel is an error in the proposed rule or regulation. With that in mind then, what I am proposing to you is an oversight mechanism to be used as the Legislature feels is needed in looking at rules and regulations to ensure that those regulations reflect both the letter of the law and the intent of the Legislature in enacting that legislation. To do that, I have proposed LB 22 which requires of any agency that they send, whenever they are planning on changing, updating, modifying, whatever, the rules or regulations, that the notice, as described on page 2, is sent to the Executive Board of the Legislative Council. Now this is the same notice that has been required of agencies by previous administrations in their notice of regulatory hearing for the Governor's office. It's my understanding, from policy research, that the current administration plans to follow these same guidelines as far as a notice to the administra...to the Governor's offic of the hearing. Now, the process, as provided for in LB 22, as amended, provides that any agency, when they propose to change rule or regulation, would send this notice to the Exec Board. The Exec Board then would refer that notice to the Standing Committee that has subject matter jurisdiction over the issue involved in the rule or regulation. The committee chairman, the committee counsel would look or have the opportunity to look at this notice and decide whether they want additional information on that or not. This bill would provide then, as amended, that the committee could ask for a complete