

with the law we passed. Now I am in a quandry on this, but not really. The quandry is I happen to completely, totally agree with the rule and agree with the Road Department and believe the law that we passed was a bad law. I believe roads should be made to drive on and that was what the Road Department was trying to accomplish and in doing so...in doing so they adopted a rule that quite frankly violated another law we passed in here that wanted to decorate the roads kind of. So if our Rules and Regulations Committee and what really is behind that which is the Legislature and "the sanctity of the laws we pass means anything", then I must vote...I must vote to support the law absolutely, and if I disagree with the beauty of the roads part, I introduce a separate bill to change that law. These laws cannot and must not be changed by individual agencies making their own subjective judgment as to what is good or bad, right or wrong, wise or unwise, and that is the very essence of rule making authority and where it has gone astray in almost all the states, and I would tell you that almost everyone of the 50 states is now at the same point where we are and that point is, are the agencies writing the laws and the policy of the state, or are the lawmakers? And so this is our first test, our first honest to goodness test, and I wish it would come on something like the Christian schools rule rather than this one, quite frankly, our first test to see when the rule doesn't agree with the law, do we let the agency go ahead and write laws through their rule making authority, or do we say, no, we bring it to a halt? Now I think once we pass this bill, and I think we are under obligation to pass it, unless somebody in this room can show that the rule does agree with the law, I think you are under obligation to pass this if you want to maintain administrative rules oversight. But once you do it, I think then maybe the next step might be a court test as to whether we even have the authority to do this. So I urge you to advance the bill for the purpose of enforcing our lawmaking authority, at the same time recognizing that the law itself that is being enforced is kind of a cruddy one in my opinion.

SPEAKER MARVEL: Senator Beyer.

SENATOR BEYER: Mr. Speaker and members of the Legislature, I agree with what Senator DeCamp has just said, because basically on this road that is in my territory the Department of Roads is more or less following the guidelines that they have, and it is a case of where it is a tremendous expense to go under those guidelines, where if we can put it down to a different description by our rules it will save a considerable amount of money that is not