

found they did not meet the intent of the Legislature and I can give you an example. Senator DeCamp brought into the Christian schools the fact that the rule of the State Department of Education was suspect, Rule 14. Yet the court had said in a case out of Cass County that the Department of Education did not exceed the intent of law that has been on the statute books for a long time, that the rule was perfectly in conformity with that law, and that is the reason the Rules and Regulations Committee did not act because the court had said in that case very explicitly they did not exceed. So I stand in support of LB 649 and I really believe this Legislature has the right to examine any rule and reg once we are the lawmakers and we pass it to make certain that it does not exceed or to make certain that it meets the intent of our laws. It is a place for citizens to come to complain about what they think might be excessive rule making outside of the intent of the law makers. So I support LB 649 and if somebody wants to test it in our Supreme Court, let it happen, then we will know where we stand in terms of our power and our intentions.

SENATOR CLARK PRESIDING

SENATOR CLARK: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, after the last vote that just crushed me I am kind of interested in this particular one where they are talking about cutting down some trees. They are not interested or concerned about cutting down some houses. The Roads Department is cutting down trees right now in my community causing erosion and other problems. There is no concern because it is going through a black community where we live. But if you talk about one where people want to go and have fun and play, then you don't want to cut those trees down. So it seems that in the same way that the location and complexion of people determines the attitude of the Legislature the location of the trees suddenly becomes important. Although it is against my intention, Senator Johnson, what I am saying now is going to help you advance this bill because I think the bill should not advance. I think the Roads Department should do for the rest of you what you have helped them do to me and my kind. Let the Roads Department do it to everybody. Now when they are the handle of the tool that is going to hurt us, the Roads Department is great and they should not be questioned or challenged. And I want this into the record, and you have given me the wonderful opportunity to do it. I have seen concern for whooping cranes. I have seen concern for ferrets. Now I see concern for trees. So maybe if there was some way