

also allow a whole series of agreements to be made with the contractors before the next legislative session, before this Legislature would have an opportunity to look at the issue and examine it. There is no provision in those rules and regulations that would require that those agreements be made public and there is no provisions in those rules and regulations that require restitution. Restitution is only one of a number of considerations that the Director can take into consideration in permitting somebody to be put back on to the bidding list. In short, I think the proposal that the administration now has to deal with these things is probably illegal the way it is drafted and I think that illegal in its unconstitutional delegation of authority and illegal inasmuch as there is not the statutory authority to write those rules and regulations and we have copies of them and we would be happy...I would be happy to make available to any of you if you would like to see those rules and regulations a copy for your examination. So I think that this is a very important matter that the Legislature needs to give attention to. I think it is going to be important we are going to find to pass legislation this year to authorize the Director of the Department of Roads to promulgate just the kind of rules and regulations that are being circulated now and it is going to be important also for the Legislature this year to insist that when those agreements are entered into with the contractor that restitution is sought because the current rules and regulations, in my opinion, don't put enough emphasis on the importance of getting the kind of tax proceeds back into the public coffers as Senator DeCamp mentioned earlier. So I think it would be a mistake for us not to look into this matter. It would be a mistake for us to not do everything we can to see that more information is made public about what has been happening in terms of bid rigging around the state in the last five or six years. And for us to vote this resolution down, particularly after we have debated it as long as we have this morning, would not be in the best interest of the state. Thank you, Mr. President.

SENATOR CLARK: Senator Wesely, the indefinite postponement of the resolution.

SENATOR WESELY: Mr. President, members of the Legislature, I strongly oppose the kill motion. I think from the votes we have had thus far most of you recognize the importance of this study and the need for the Public Works Committee to undertake a comprehensive review of the situation. When you talk about, well, it is not going to do any good and what is going to be accomplished, I would like to call to mind one example that I think is important to keep in mind