

appeals processes, dealing with point revocation and all other appeals. They prefer that to go directly to the district court, rather than dealing with it themselves, because of the costs involved in it, and they prefer that it goes to the district court. So, as a result, they came back and said we only wanted to deal...we only wanted to make uniform the appeals process dealing with the implied consent law. And that is why I came back with this amendment that takes them out of that uniform appeals process and goes back to the law as it currently is today.

SENATOR WESELY: I see, I see. I've been interested in that implied consent law and had legislation on it last year. So I'm concerned to make sure that it works properly. And you're saying that to do that you need this amendment, I mean...well, the other bill that this would mesh with.

SENATOR ABOUD: Yes. I have a copy of the letter from the Attorney General's Office, too.

SENATOR WESELY: What about appeals on...questions about, oh, like the vision question that we've had legislation on? Are those under the Administrative Procedures Act then or...

SENATOR ABOUD: Which divisions? What are you talking about?

SENATOR WESELY: Well, I'm just...all I'm trying to get at is are we separating out the department in a way that...I mean, are all other departments all going to be doing one thing and the Department of Motor Vehicles will be doing something different? I mean...and it sounds like there is a justification for that. But is that what I'm hearing you say?

SENATOR ABOUD: I don't think so. That's...when we had the hearing before the Government Committee on LB 352, that particular issue was raised, and it won't be that much of a change. Really, the only ones that really deal with this on these appeals are attorneys, and it was their hope to make everything more uniform so that you, if you went to one state agency you wouldn't be different from another state agency; just so it's easier in that appeals process, and there really isn't that much of a change where it would make that much difference.

SENATOR WESELY: And the Bar Association supported this, so they must feel that it's a worthwhile change in the procedure?