

question.

SENATOR SMITH: All right. All right. Do you want to answer the question?

SENATOR GOODRICH: I'm trying to but you won't let me.

SENATOR SMITH: Well, please do.

SPEAKER BARRETT: Proceed, Senator Goodrich.

SENATOR GOODRICH: The \$100 maximum deals with a guideline. When you do something statutorily you can...we cannot statutorily say to an agency, set the fees according to the cost, whatever you think the cost would be. That would be statutorily improper or unconstitutional, in other words, a delegation of legislative authority. You can only do that if you set a guideline beyond which they cannot go. That is where you say maximum of \$100.

SENATOR SMITH: Okay, now is it presently \$25 is the maximum then?

SENATOR GOODRICH: For a fee.

SENATOR SMITH: Yeah.

SENATOR GOODRICH: Yes. Now they could next time they contract with a national company to come in and do the examining, they could contract that for \$20 or \$30, or whatever they can get the contract for. Now the commission, itself, is not going to give away any money we don't have to give away. But they know, for example, that the statute, itself, is constitutional, by virtue of having the guideline in there you cannot exceed \$100. They also know that you can't exceed that when you're negotiating with the contract...the contract with the national company. So it helps the commission hold down what the national company could ask for even.

SENATOR SMITH: Have they had problems with the fact that they're coming in where they're having a difficult time getting people to come in and do the exam?

SPEAKER BARRETT: One minute.