

haven't pulled the statute. But based on the existing statute that we're dealing with and the changes that would be embodied in LB 168, including your amendment, I mean there is nothing that's before us right now that says the Governor has to do anything with that. Is that not correct?

PRESIDENT ROBAK: Senator Bromm.

SENATOR BROMM: No, you're absolutely correct. It's simply information for their consideration on whether they want to continue to implement the regulation or not.

SENATOR HALL: Okay, and what currently happens, do you know, in the existing language up above, I mean the Attorney General currently does this review for purposes of the Administrative Procedures Act, the statutory authority, they're submitted for his or her consideration as to the statutory authority and constitutionality of such amendment, rule or regulation. His or her approval or disapproval thereof, including a determination as to whether or not the rule or regulation submitted is substantially different from the published proposed amendment, rule or regulation. Blah, blah, blah, blah, blah, blah, shall so indicate with his or her stamp of approval which shall be dated and signed. So in other words, currently, right now those rules and regs are submitted and approved, dated and signed by the Attorney General's Office for purposes of their constitutionality. Is that not right, and whether or not they substantially differ from the proposed rule or reg, or the proposed intent of the legislation that authorized it?

SENATOR BROMM: That's the way I would read it, too, Senator Hall.

SENATOR HALL: So the difference here is that when we're talking about...we're adding it to that...or are we adding to that responsibility? I mean because doesn't takings run to the constitutionality of the amendment at present? I mean aren't...aren't ..is this not duplicative of what currently would be required of the Attorney General's Office?

SENATOR BROMM: I think one could make an argument that it is duplicative. I think...I think the point is well taken that it should be unconstitutional and is unconstitutional to take someone's property without due process and without just compensation. But I guess it's my understanding that this would