

aspects of the rule-making process, and they're found in these various subdivisions of 84-907, in the existing law, starting in line 19, there would have to be a description but not necessarily a quantification of the fiscal impact on state agencies, political subdivisions and persons being regulated. In the language you all want with reference to this specific portion dealing with takings you would have, starting in line 1 on page...

SENATOR CROSBY: One minute.

SENATOR CHAMBERS: ...2, a description of the type of property which may be taken and the estimated but not necessarily quantified fiscal impact on the state. Is that all you wanted it to show in your fiscal impact, the impact on the state, or did you want it on the political subdivisions and persons, as is the case with every other aspect of the rule-making process?

SENATOR CROSBY: Senator Wickersham.

SENATOR WICKERSHAM: Since the rule or regulation process is exclusive to the state, under the Administrative Procedures Act, it would only be the state that would have a fiscal impact in that it would be paying for those compensable takings that might occur under the rule or regulation.

SENATOR CHAMBERS: Senator Wickersham, does a rule ever authorize or direct a political subdivision to do anything?

SENATOR WICKERSHAM: The rules and regulations that we adopt at the state level authorize our agencies to act,...

SENATOR CROSBY: Time.

SENATOR WICKERSHAM: ...I'm not aware that they would ever authorize a political subdivision to take.

SENATOR CROSBY: Senator Chambers, your light is next.

SENATOR CHAMBERS: All right. Madam President, members of the Legislature, since we're on this issue and I have Senator Wickersham, before we get to that point, I can ask him some other questions leading up to it. Now, Senator Wickersham, on page 2, you had mentioned this word, this term, "without compensation" could have reference to abatement of a nuisance.