

assemble, and petition our government for redress of grievances, the right against illegal searches and seizures, the right to not have to incriminate yourself. Property rights are more important than all of those rights. Any subject on which an agency can formulate a rule or regulation is deemed to be less important than property. And I disagree with Senator Brashear's philosophy or reading or understanding of how legislation is to be construed. If this that we're dealing with is important enough for the Legislature to put it into the statute books, then I want something in the statutes along with it to show that some of us deem other rights that are recognized in the Constitution to be equally important and we don't want any rule making by an agency to give short shrift to these other rights, and that can be done. Senator Brashear, if there is a time crunch and limited resources available to an agency which is making rules and regulations, that agency, if it's going to comply with what the Legislature has directed it to do, would give first priority to those things that are specifically mentioned for it to do. Would you agree with that?

SENATOR BRASHEAR: Yes, Senator Chambers, I would.

SENATOR CHAMBERS: And in this instance, what other thing besides property is specifically mentioned that an agency must give consideration to in making a rule or a regulation?

SENATOR BRASHEAR: Senator, I have not been in the position to give that analysis.

SENATOR CHAMBERS: Okay, nothing.

SPEAKER WITHEM: One minute.

SENATOR CHAMBERS: No other thing is specifically mentioned. Now the general language, as you pointed out, makes it clear that constitutionality and those question must be looked at but, without LB 168, those requirements apply to any rule or regulation regardless of the subject it is going to consider, regardless of the agency making, formulating the rule or regulation. But 168 skews that and it lifts out property and elevates it above everything else and says this specifically must be given attention by the agency. Since nothing else is mentioned specifically, perhaps not much attention needs to be given to anything else and that is why I'm offering this amendment. This minor amendment here I think could probably be