

April 5, 1995

LB 168

not understand this bill. He does not understand its impact. Senator Beutler, I think should understand it. There are others on the floor who have discussed the aspects of the impact that I'm talking about. Senator Preister went into some detail. There are people who are quick to say these negative impacts are not the intent of those supporting the bill. The intent of those supporting the bill means nothing. What counts is what is contained in the bill. What the body has not had brought to its attention yet by those who support the bill is the fact that this also would give a basis for challenging the validity of any rule or regulation adopted.

SPEAKER WITHEM: One minute.

SENATOR CHAMBERS: All that would have to be presented is an argument that the analysis required to be undertaken, or the study, or the description, whatever form is taken for expressing the requirement on the agency, to argue the agency did not do that puts the person in the position to challenge the validity of the rule. It creates not only additional bureaucracy, but it creates additional causes of action, which can hamstring, paralyze, and impair the ability of agencies, which means the state, to draft, promulgate, and put in place rules and regulations needed to protect the public interest. So I hope you will adopt my proposal that...

SPEAKER WITHEM: Time.

SENATOR CHAMBERS: ...would put this bill off until June 15.

SPEAKER WITHEM: You...Senator Chambers, your light is next.

SENATOR CHAMBERS: Mr. President...Mr. Speaker, and members of the Legislature, to try to complete what I was indicating, I will ask Senator Jones a question.

SPEAKER WITHEM: Senator Jones, will you respond to a question?

SENATOR JONES: Yes.

SENATOR CHAMBERS: Senator Jones, have you done research on how a bill, such as this, has actually been implemented in states where they have been adopted?

SENATOR JONES: No, I haven't.