

## ONE HUNDRED SECOND LEGISLATURE

## SECOND SESSION

**LEGISLATIVE RESOLUTION 496**

Introduced by Mello, 5.

PURPOSE: The purpose of this interim study is to examine the issues surrounding the adoption and promulgation of rules and regulations. This study shall include, but not be limited to:

(1) A review of the current procedures for the adoption and promulgation of rules and regulations in the Administrative Procedure Act (APA);

(2) A review of policy changes that have been made by state agencies outside of the APA process;

(3) An examination of the enforcement of rules and regulations by state agencies, including whether agencies are enforcing rules and regulations prior to completion of the APA process;

(4) A review of possible statutory changes to the APA which would ensure that any policy changes made by state agencies occur within the rule and regulation adoption and promulgation process;

(5) An examination of administrative procedure policies at the federal and state levels, including methods used to monitor and prevent the enforcement of unpromulgated rules, regulations, policies, or directives, and whether such policies should be incorporated into the APA process; and

(6) An examination of regulatory flexibility policies at the federal and state levels and whether such policies should be incorporated into the APA process.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SECOND LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.