

guess, Senator Hohenstein, I tried to follow some of your explanation and a little of the discussion on this. Has NEOC signed off on this? Has the commission had a chance to review this? Where does the agency stand on this proposed change?

SENATOR HOHENSTEIN: I can tell you, Senator Wesely, that the NEOC has not formally signed off on this. We had had discussions with certain commission members who had made suggestions as to parts of this, supportive of it, in Appropriations Committee. Also a good part of the investigating staff I think clearly agrees that the lack of a prescreening procedure whereby they are required to investigate every case that comes in the door, whether they have jurisdiction or not, makes no sense whatsoever. They are wasting inordinate amounts of time on cases where they have no jurisdiction. The only part of it I think that the question legitimately is raised is with respect to the hearings themselves before the commission. That's after there has been determined that there is just cause for something to occur, and then the commission has a hearing. I asked specific questions about how that works from both people who are involved in the process as complainants and businesses, and also from the people who are involved as commissioners and investigators, and the information that I got back indicated that that was, for the most part, a rubber stamp action based upon the investigative report, that if the investigator determined that there was, in fact, a violation, so did the commission. After that occurred, however, the individual who may have been...who may have cause of action really got nothing else. There may be an agreed upon settlement, which you can do before that or after that, but if, in fact, that was not the case, they got a right to sue letter and they could go to district court. And it did not seem that the hearing process before the commission offered anything substantial to the aggrieved individual or the company who may be alleged to have violated somebody's rights other than a period of delay.

SENATOR WESELY: Has there been any hearing on this proposed change, either through the Appropriations Committee, anything specifically allowing public input on reaction to this proposed change?

SENATOR HOHENSTEIN: There has been no bill introduced, no hearing on this that I'm aware of.

SENATOR WESELY: I think you are headed in the right direction,