

January 13, 1981

matter to be investigated, then the committee votes as to whether it wants to issue a specific subpoena (interruption).

SENATOR CHAMBERS: But the Executive Board does not have to give approval of the subpoena itself?

SENATOR BEUTLER: Not of the individual subpoena, right.

SENATOR CHAMBERS: Thank you. Senator DeCamp, I would like to ask you a question or two. Have you worked on this particular rule? If not, I will ask only Senator Beutler. This relates to statutory authorization that exists right now for legislative committees to issue subpoenas. Will this rule be expected to take priority over a statute? Does this rule coincide with the same requirements laid down by statute, the powers granted by statute, and either you or Senator Beutler could answer?

SENATOR DeCAMP: It is my understanding Senator Beutler was going to draft a rule which coincided and complied with what we had established were the laws. I heard you mention the Exec. Board. I have serious reservations on that particular aspect as to whether...as to whether even that aspect is legal. I think the committee has certain powers, the Legislature has certain powers and I wish you would reexamine that aspect maybe. I have no doubt that this rule will be adopted whether it is today or later, and if the Exec. Board is involved in the manner you described, I would suggest to the lawyers in the group and the people that are interested that you check that aspect out and work with the Attorney General on it because I think you are going to find some problems there.

SENATOR CHAMBERS: Right, and here is a follow-up, Senator DeCamp. Do you remember being the chairman of an investigative committee that was looking into a specific...they called it a suicide but it turned out to appear more like a homicide a couple of years ago?

SENATOR DeCAMP: I remember it well.

SENATOR CHAMBERS: Do you remember that the then Governor was involved in doing things which perhaps impeded the total revelation of all facts related to that incident?

SENATOR DeCAMP: I remember it well.

SENATOR CHAMBERS: Can you envision a situation where if a Governor were interested, for whatever reason, in impeding an investigation as may have occurred in that instance,