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members of the Executive Board if they were beholden to the Governor could prevent a committee from carrying out its assigned role?

SENATOR DeCAMP: Rather than answer that specifically, I would suggest what I suggested a few minutes ago, a rule will be accepted by the legislative body, I am positive on a procedure with the problem of the Exec. Board that has surfaced here. I do believe you should go back and rework that and do a little legal research. I really think you have got a little bit of a problem there and I think working together you would get it solved. I think you have to change it.

SENATOR CHAMBERS: Okay, I will ask Senator Beutler a question. Are you willing to forego seeking adoption of this until that matter related to the Executive Board is resolved?

SENATOR BEUTLER: I am not sure it is clear in my own mind, Senator Chambers, what is the matter that needs resolution? I didn't pick that out of the discussion.

SENATOR CHAMBERS: If the committee is authorized to conduct a study or an investigation of a certain area, once it exists it doesn't have to get approval from the Executive Board to check anything based on the way the statute authorizes committees to issue subpoenas. As a prerequisite to doing that, that committee need not go to the Executive Board.

SENATOR BEUTLER: Because there is a statute that allows it to issue subpoenas?

SENATOR CHAMBERS: Right. If you establish a prior condition, you are putting something in that the statute does not and I don't see how a rule...I think that could be disregarded and you could go with what the statute allows. For example, the Constitution is what prohibits two subjects from being put into a bill. The Legislature could vote to suspend its own rule prohibiting two subjects and put two subjects in a bill anyway but that would be totally of no validity legally. So I am saying a legislative rule cannot amend a statute.

SENATOR BEUTLER: I think the Legislature can make its own rules and I don't think the statute takes precedence over the Legislature's own rules. That would be my opinion but if there is a problem with the statute, I would be willing to use one of my bill introduction periods or bills to take care of the statute problem so that everything corresponds although I personally don't see that problem.

SENATOR CHAMBERS: I will complete my comment very briefly.