

have had discussions this morning, I believe, with the people in the administration that the information that was originally sought will be released and you said, I believe, that you thought that the reason for this change was, in part, due to the resolution coming before us and, in part, due to the Attorney General's Opinion. I guess my question would be what your interpretation of the Attorney General's Opinion is. Does it, indeed, allow for the release of these kinds of figures?

SENATOR McFARLAND: Well, the Attorney General's Opinion is rather ambiguous. The specific aspect of it was a list that the Department of Revenue has. In the Attorney General's Opinion that you have, and I passed out to you, there was a comment made that if a list of bonuses was prepared by the department from personnel records in their personnel files, that that could be held confidential. There is also an article that's saying the Tax Commissioner's interpretation of that was that they were going to continue with their policies as they had in the past, which has been nondisclosure. Now, as of...as of Friday...

SENATOR HANNIBAL: As of this morning.

SENATOR McFARLAND: But now as of this morning the Tax Commissioner visited with me and said they had changed their view on this. They are now going to disclose that information, that list.

SENATOR HANNIBAL: So that if the...if the interpretation of the opinion is that it does allow for the Tax Commissioner or, for that matter, any other agency of government, including the Governor's office and the Department of Personnel, if the opinion is read and interpreted such that these things may, indeed, happen and you have a situation where they will, in fact, be done, as a matter of fact, my interpretation would be if they may, indeed, be made available by virtue of the Attorney General's Opinion, then, as a matter of fact, we don't have a policy decision. We do have an interpretation of law that would require such kinds of lists being made available. And I'm still very concerned as to why you think that we need to make a policy statement that says regardless of what the law says or regardless of what the interpretation of the law is that we will tell departments of government that they shall release these even if they are against the law or that we shall release them if they are in compliance with the law. It appears to me we don't have any kind of a policy decision here at all. If they