

are a part of law and should be able to be released, then they...then there is no discussion as far as a policy decision. And if they aren't allowed to be released by law, there is no policy decision on our part, short of changing law. I would be interested in your response to that.

SENATOR McFARLAND: Do I have the floor?

SENATOR HANNIBAL: Yes, you do.

SENATOR McFARLAND: It's a good point. At the present time, under the Attorney General's Opinion, I would say there is no clear mandate that a list of employee bonuses be disclosed. According to that opinion, it is supposed to be discretionary with the department head. It says they can be considered confidential or if the department head wants to, he or she can disclose that list. I think, from a policy statement, to pass this resolution would be saying it is the view of the Legislature if there is any discretion whatsoever, the presumption should be that the information should be disclosed.

SENATOR HANNIBAL: If that is correct, and I don't necessarily agree with you, but if it was correct, then I guess I would have a question...

PRESIDENT: One minute.

SENATOR HANNIBAL: ...as to why you would...why you would have your resolution and the amendment thereto be limited to just three years and...as opposed to going back and suggesting that we start with disclosures if there is any discretion back to when any kinds of payments of these were initiated, which I believe was back in the early eighties.

SENATOR McFARLAND: I don't have any problem with that. I picked those years because the controversy that has arisen has been that the bonus payments in the past administration and this administration have been awarded on a political basis rather than professional.

SENATOR HANNIBAL: I'm running out of time. I would say that I will talk further on this probably but I would hope that Senator McFarland would remove his resolution, withdraw the resolution. And if he decides not to, then I would probably support a kill motion if it does come before us.