

SENATOR HALL: Okay, now what does that mean? And here's where I'm coming from because the thing you pointed out is that they would be appointed, and I'm taking...my question is, is appointed means hired, the way you said it was appointed, you were just saying that the...the tax commissioner would be the individual who would appoint this person or...and since it's not a state employee they would really be hired on...under contract to serve as the executive director. Is that right?

SENATOR WILL: That's essentially correct, yes.

SENATOR HALL: Okay. A couple other drafts of this proposal, not this one in particular, but other ones have had the Governor as the individual who would appoint or hire this person. What's the, excuse me, reason for having the individual who would be not a state employee but yet hired by the director or the tax commissioner? That's my only problem. Why wouldn't it be, (a), appointed by the Governor or hired by the Governor and if it's going to be someone who is going to be dealt with and hired by the tax commissioner, why not just make them a state employee?

SENATOR WILL: Yeah, I understand...I understand what you're driving at, Senator Hall.

SENATOR HALL: And I know one of the reasons to contract would be so that you can hire somebody, bring them in and not have to have them subject to the limitations of the salary scale of state employees. I don't have any problem with that. I think you really do need somebody whose got some experience in this area and I think you're going to have to pay for that, otherwise you're not going to get them in here. So I...I don't object to that rationale. I guess my point is, is that if this is going to be separate but yet under the department, what's...is it someone who answers to the Governor or is it someone who answers to the tax commissioner? And where should that responsibility lie in terms of who should they respond to? Clearly, this version is laid out so that they would answer to the tax commissioner. Why the choice in this case as opposed to...and I'm just thinking of the version of the bill that I brought in that had...it had a committee structure but it basically was someone who was responsible to the Governor.

SENATOR WILL: Well, a substantial part of this draft came from the Department of Revenue which might explain part of your...the