

you can get into arguments. I don't know what the right answer is right now with respect to the overall relationship between the director and the Governor and the Attorney General and the attorney-client privilege as it applies to it overall, but in any event with respect to everything the Attorney General is doing on the approval process, the rule and reg approval process right now, it is treated as confidential. And to pick out that subsection of the bill and treat the takings aspect of his review differently makes no sense whatsoever. And I think there is good public policy rationale for confidentiality because in effect, confidentiality does protect the public. Don't forget it's the public's money that is going to be spent to pay people who bring lawsuits. And if this information is not confidential, it's essentially turning over the public's information to the people that are going to use that against the public to squeeze out more taxpayer dollars. There is a difference I think between rules and regulations and statutes. With respect to statutes, it's an obligation getting an opinion from the Attorney General is getting information with respect to constitutionality before we ever require the agencies or the public or anybody to take this or that action or not take this or that action. With respect to a rule and regulation, remember the reason we have a rule and regulation is because we have already passed a statute. The Legislature has already required the agency to make rules and regulations with respect to a particular item. Now the Attorney General may come back and say the Legislature was foolish and I think this does not meet muster under the just compensation provisions of the constitution, but nonetheless, if the Legislature made a law and there is no other way to approach the question, the rule and regulation, notwithstanding some doubt about its constitutionality, has to be put into effect to follow the directives of the Legislature. And it makes no sense to me to say notwithstanding the fact that we must do this to follow the Legislature's direction, we're going to turn over the information and make it just as difficult as possible for those who wish to uphold the constitutionality of whatever bill has been passed by the Legislature. So there's a very big difference between going to the Attorney General for advice on a rule and reg and going to the Attorney General for advice on a statute and the confidentiality of those responses as between the two different situations. I don't know, maybe we should let Senator Bernard-Stevens' amendment be attached because I think the bill would be so bad at that point in time the reasonable people could not differ on it, but that's not presently the