

SENATOR BEUTLER: And with respect to these temporary workers, what is happening is that contract money is being used to purchase additional personnel services. Is that not so?

SENATOR WEHRBEIN: That's one possible way, yes.

SENATOR BEUTLER: Okay. If this is what's being done on a scale that we have discussed, let me ask you this. Are the agencies who are using these temporary workers returning to you any of the personnel money that was originally allocated to them for personnel, or are they using all that, then in addition contracting out for additional temporary workers? Which of those situations pertain?

SENATOR WEHRBEIN: I would say generally it's the second scenario, that they're probably using their personal service limit and have some need for temporary workers in this case, assuming legitimate use, and they would use other funds to hire temporary workers. And some may or may not be up against their PSLs. We monitor that very carefully. That's one of the reasons we've gotten some vacancy savings where we found, and the Governor took those, too, found some vacancy savings because PSLs were not being fully utilized and were being...and so we took those back so we monitor PSLs very closely.

SENATOR BEUTLER: All right. So you cannot say for sure one way or another whether this vehicle is being used as a mechanism for avoiding the personnel limitation caps.

SENATOR WEHRBEIN: Well, you can't say absolutely but chances are it has been used in that way some places, yes, don't have a specific use, there's always ways to use that. But you can't say that it couldn't happen.

SENATOR BEUTLER: Okay. Is there, second question, is there anything in statute that defines in any manner what a temporary employee is?

SENATOR WEHRBEIN: I don't know if it's in statute.

SENATOR BEUTLER: And if it's not in statute, which I believe it is not, does it make any sense, given the broad interpretations that we're having or getting of temporary workers, to put something in statute that gives agencies and the executive branch some more explicit guidance with regard to what a