

at the present time. With that I'll conclude my remarks and address it further.

PRESIDENT ROBAK: Thank you, Senator Wesely. Senator Brashear.

SENATOR BRASHEAR: Madam...(machine malfunction)...I, too, rise in approval of Senator Chambers having brought to our attention I think what is a legitimate policy debate and decision with regard to the state entering into contingent fee contracts and I appreciate the background which Senator Wesely has provided as to the other side, the desirability of going forward even in not the best of circumstances, but, in fact, the business before us is Senator Chambers' amendment and I'd ask if Senator Chambers would yield to a series of questions on the amendment.

PRESIDENT ROBAK: Senator Chambers.

SENATOR CHAMBERS: Gladly.

SENATOR BRASHEAR: Senator Chambers, at...in the amendment at Section 1, part 4, line 14 you used the word "ever" as in prior to August 1994 no state department or agency ever had executed a contingent fee contract on behalf of the state. What basis, in fact, is there for the finding by the Legislature that it had never ever had an agency or department enter into a contingent fee contract?

SENATOR CHAMBERS: You'll just have to take my word for the fact that I have talked to people in various departments. I have talked to people in an office which I will leave nameless but they deal with legal matters and I don't want them to get in trouble with their boss, but nobody has been able to unearth a single example of any contract. I had gotten from the Department of Social Services copies of some of their agreements that...well, one had to do with hiring a law firm to work on an issue where the state might suffer some kind of penalty under one of the food stamp programs. That was not a contingent fee contract and no others that I could find. They had had a lobbyist to do some things for them. That was not a contingent fee contract and no other department or agency could produce one.

SENATOR BRASHEAR: Thank you, Senator. Notwithstanding the thoroughness of your investigation as you've laid it out for us, you would admit, would you not, sir, that there is at least the