

SENATOR CHAMBERS: No, but the constitutional provision that requires the economic and efficient operation of government does that because the fee paid has to be commensurate with the work done or, vice versa, the work done has to justify the fee, and with contingent fee contracts, that is not the case.

SENATOR BRASHEAR: Thank you, Senator. Senator Chambers, I would point out to you and to the members of the body that your opening remarks with regard to the bill and to the amendment indicated a presumption that all contingent fee contracts always result in a greater value being paid than is worthwhile in terms of the services. In my experience...

PRESIDENT ROBAK: Time.

SENATOR BRASHEAR: ...and in the experience of a number of people, that is not correct.

PRESIDENT ROBAK: Thank you, Senator Brashear. Mr. Clerk.

ASSISTANT CLERK: Madam President, Senator Beutler would move to amend the Chambers amendment. (FA227 appears on page 2259 of the Legislative Journal.)

PRESIDENT ROBAK: The Chair recognizes Senator Beutler to open on his amendment.

SENATOR BEUTLER: Madam President, members of the Legislature, the amendment is being passed out to you. I don't know if we're serious about trying to make something out of this bill for the future or whether today or the main point of the bill is to deal with Maximus. I think we all know given the practicalities of our budget that we're not going to do anything about Maximus at this point in time. Whether we like it or we whether don't like it, we're going to swallow it, accept its benefits and proceed from there. But if what we're trying to do today is to build something for the future, then what I wanted to do was to suggest an amendment that might start us towards that future and I'm not sure where the body is, but let's start defining where the body is on this matter. Senator Chambers starts out with a bill that essentially is totally negative on contingent fee contracts and I assume that is meant to apply both to those that have been executed in the past as well as any that might be executed in the future. For purposes of framing this debate,