

establishing the policy here of how we feel about, how we feel about contingent fee agreements, and we are trying to set in place a motion so a person could request a copy and examine it and comment upon it, but we're not trying to actually enter into the executive management of the government.

SENATOR CHAMBERS: We are giving any governor carte blanche to enter any manner of contingent fee contract with no limitation on the amount of the...

SPEAKER WITHEM: One minute.

SENATOR CHAMBERS: ...fee, isn't that correct?

SENATOR BRASHEAR: That's correct, but, of course, we are expecting him to discharge the duties of his office in accordance with his oath, and in fact they've been doing it. I gave examples since 1992 at least.

SENATOR CHAMBERS: But now the Legislature will have spoken and given specific authorization without any limitation. The only limitation is that the Governor signs it. The Governor could enter a contingent fee contract at the end of his or her second term that would be a sweetheart deal for somebody else, and how could you say that the fee is exorbitant, when while we are discussing it, we don't feel there is such a thing as an exorbitant fee, no matter what it is.

SENATOR BRASHEAR: Well, I don't think that is correct, Senator. I hear where you are going, but we are talking about a twelve and a...dealing with the record in this instance, we are talking about 12 1/2 percent contingent fee that has been represented to us will be negotiated down to 9 percent.

SPEAKER WITHEM: Time. Senator Chambers, you are recognized to speak.

SENATOR CHAMBERS: And this time will be my third time on this aspect of it. Here is the point that I wish you all would look at but I know you are not going to, but I want it in the record. You are unwilling to limit the percentage that the contingent fee can be, and by you discussing it and agreeing to let the Governor do this, there is carte blanche given. And what you need to realize is that these contingent fee contracts are not going to involve just the kind of situation you have in Maximus