

but you say that they can deem...maybe they'll deem those unnecessary or inappropriate. I don't know what the circumstances will be. And with no oversight, no one outside the system will know what those circumstances will be. So all I'm asking for is approval, a little bit of oversight by the Governor. And it doesn't even speak to the question that Senator Chambers has brought up on whether we'll have the money or enough programs to even do positive time...

SENATOR BERNARD-STEVENS: One minute.

SENATOR WITEK: ...for those individuals who want to do positive time. I think everyone on the floor knows I'm not in favor of good time provisions. I understand why some...the individuals feel that they're necessary to try to keep the behavior in the prisons to a level that they can stand and I understand that. But this new positive time provision is something I don't think we've talked enough about. And obviously if it's something new or different I want some oversight in those areas, and that's what my amendment would simply do. It wouldn't keep you from initiating any program, it just says that there would be approval by the Governor for those, and it wouldn't have anything to do with the programs that you've already got initiated. Thank you.

SENATOR BERNARD-STEVENS: Thank you, Senator Witek. Senator Chambers.

SENATOR CHAMBERS: Mr. President, members of the Legislature, I'm going to speak directly to Senator Witek's amendment now and I'm going to try to stay on that subject and make it as clear as I can why I oppose it. The Governor has a lot of things to be concerned about as the chief executive officer of the state. The Governor appoints people to positions to head departments and agencies. Having done that the Governor then has the responsibility to oversee the work of that individual, but it should not be incumbent on the Governor to be involved in these programs, whether or not they exist, whether or not they're created or any other aspect of it in the way that Senator Witek's amendment would mandate. I don't think the Governor should have anything to say about whether a certain program is going to exist at the pen or not. We have put into statute certain rights that prisoners must be accorded. Most of those are a result of holdings by federal courts because prisons are notorious for trying to make the environment as restrictive as