

saying and I do understand your concerns and relate to them, but I believe we're bringing a very good process to bear here irrespective of how, because we're establishing what we have discovered in the course of all this, we're establishing for the first time the rules and regulations and the public notice and the accountability for contingent fee contracts of which there are many, many more than anybody anticipated.

SENATOR CHAMBERS: That I understand, Senator Brashear, and that's why the principle you're operating on meets no objection from me. But why should the Pardon...the Parole Board, all of whose members are appointed by the Governor, none of the members is elected, why should they not have to come under the Governor's oversight? And before you answer, I want to point out to the body that in the intent language where it mentions that the affairs of the state are to be managed in an economical and efficient manner, that language comes directly from the provision of the Constitution related to the Governor and it imposes that responsibility directly on the Governor.

SENATOR HALL: One minute.

SENATOR CHAMBERS: So, Senator Brashear, why is it necessary to keep these boards and exempt these boards and agencies when not any of them are elective positions? And we're not talking about separation of powers because all of this is within the executive branch. So it's not the Legislature trying to exercise powers of the executive branch, nor the judiciary trying to do it. All of it is within the executive branch and the Governor is the Chief Executive Officer so there is no separation of powers issue.

SENATOR BRASHEAR: May I respond?

SENATOR CHAMBERS: Yes, that's why I got quiet.

SENATOR BRASHEAR: Senator Chambers, I think your selection of the Parole Board is a classic example that illustrates what I respectfully suggest as the better course. We have just seen litigation in this state where we know the Parole Board...you're saying the Parole Board is mentioned in the Constitution. I will take your word for it.

SENATOR WILL PRESIDING