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this case is higher. I intend to vote no. On the other hand, since I'm going to a funeral, I'll simply not be present, and since they got to get 25 votes it works the same way. I must say I see the argument of the other side and I think it's legitimate. It's, for me, a relatively close call, but it is because in the absence of a compelling case, which there is not at this moment on the floor, I side with a...with a concern that our status...

SENATOR CUDABACK: Time.

SENATOR LANDIS: ...and role is different than in the executive branch and I (microphone malfunction) this power I don't think.

SENATOR CUDABACK: Thank you, Senator Landis. Senator Beutler, followed by Senator Smith and Senator Chambers.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature, let me address several arguments that have been made there and let me kind of take them one at a time. First of all, there is the argument that senators shouldn't have access to records. Senators are not, generally speaking, getting very much access to records at all. No member of the Legislature gets access. The Performance Audit Committee, none of those members get access, except two members in limited occasions. This power that we're suggesting for our Legislature is the same power that many, many...most all Performance Audit Committees, where performance audit committees are performed by the legislative branch, have and they need to have that power in order to act. You can argue that there's no compelling case, but that's precisely why we need to get this tool in place. Because if you wait until there is a compelling case, then you're going to be in an argument between some agency that wants it on...that doesn't want it on a particular issue and the Legislature that wants it on a particular issue, and it becomes a dispute on a particular issue. And if you waited for disputes on every particular issue, you would have to be coming back to the Legislature time, and time, and time again to get authority to look at a confidential record in this compelling case, a confidential record in that compelling case. Performance audit is at the heart of government, and being able to look at all