

be, I believe, a mistake. I want to also point out that I believe, and I have reviewed the document of the Appropriations Committee, I may have made a mistake, but I believe that the Office of the Ombudsman is the only instance where the committee found it necessary to eliminate an entire agency at this point in time. I believe that it is not a wise move. I recognize that perhaps there is a need for some reassessment of the situation from the time that I introduced the bill back in 1969 when the office was created. But I would like to offer for your study the reports to the Office of the Ombudsman for the past years that it has been in existence. I would suggest that you will find a steady growth in the utilization of that office. The office has been utilized more in the last year than it has been in the previous year. I do not know if that information was made available to the members of the Appropriations Committee or not. I recognize that many of the members of the Appropriations Committee are besieged with requests for other cuts and they of course must make decisions. But I would suggest that the Chairman of the Legislative Council, Senator Beutler, has the responsibility for administering that arm of this Legislature and I would suggest that it might be a little bit presumptuous for a committee to lay down the rules by which the entire body operates. There are some other questions, I think, that need to be answered relative to the Office of the Ombudsman. The Ombudsman is elected for a six-year term. He is elected for one specific purpose for a six-year term, so that individual shall not be subjected to political pressures if, in the course of his activity and his duties, he has offended someone. He was given that authority by a Legislature, I might add, that was much more conservative than the present day Legislature. It also requires that he can only be removed by a two-thirds vote of the Legislature for a specific purpose. I do not know, I have requested from the Attorney General an opinion as to whether or not, by the appropriation process whereby 25 votes could delete the funding, have we circumvented the statute that requires a two-thirds vote for removal. I would hope...Senator Warner, would you answer that question for me, please. I'm sure you have more knowledge of the mechanics of it than I would have. Do you believe that that can be properly exercised in that manner?

SENATOR LAMB: Senator Warner.