

list submitted by somebody. Constitutionally we can...

SENATOR SCHIMEK: Well, Senator Warner, if my recollection is correct, the Accountability Commission, two of its members are chosen after lists are submitted by the political party to the Secretary of State.

SENATOR WARNER: I don't question but what we've done it, but I don't think constitutionally I don't think you can restrict a Governor unless the Constitution, such as in the court system, where it does restrict a Governor from going outside. Normally that is not true. That is not a big point with me, but the other thing that does concern me a little bit, by adding additional party we say that any party having at least 5 percent of the entire vote. Currently...I don't know what it is currently, 1988, six plus percent of the people casting votes statewide were independently registered which is a greater percent than five. Now obviously there is no way to go to a chairman of the independent party, but I'm wondering if it is appropriate, since this is heavily directed toward balance of two political parties. Seems to me that the independents, and I probably think of the most partisan of people are not too sympathetic to independents sometimes. It would seem to me that some thought ought to be given to that and then I also have a problem. I assume, since the bill other places says five votes is required for official action, if you had a third party show up and qualify, shouldn't that go to six votes then when you have a ten member instead of only five?

SENATOR SCHIMEK: That is something that I have to admit to you, Senator Warner, I had not thought about, what that would do to that vote and it probably would. It would probably have to be amended to say that at some point and thank you for bringing that to my attention. And your other point?

SENATOR WARNER: No other points on this particular amendment. I have some reservations about the whole concept but we can get to that when we get to the bill itself, but it would seem to me that some of these areas need, may need to be changed and something done for acknowledgement of a fairly large block of citizens that register independent and virtually, in the primary at least, virtually only vote on a handful of races, but...

SENATOR SCHIMEK: If I could respond for just a minute, Senator Warner, if that's all right. First of all, independent voters