

SPEAKER BAACK: Senator Conway, I think this is clearly divisible by our rules so we will take up the part one of the Warner amendment. Yes, the part one will be, just for your information, the first six lines on the first page. That is part one of the amendment and we will take that up right now. Senator Warner, would you like to address that section or... anyone wishing to speak...

SENATOR WARNER: Well, Mr. President, I'll just comment that was the one that would add one member to the board representing Independent voters and again the rationale is two things. One is that such provision already exists, I believe, for the Accountability Commission and, secondly, by the nature of the bill itself, it indicates that any party receiving at least 6 percent of the vote is to be, or correction, at least 5 percent of the vote is to be represented; at least at the last election I looked at Independents constituted something over 6 percent, so it would seem reasonable to me that for those two reasons an Independent voter ought to be represented.

SPEAKER BAACK: Thank you, Senator Warner. Senator Conway.

SENATOR CONWAY: Thank you, Mr. Speaker and members, I rise in opposition to the first section. In fact, I rise in opposition to all three, but in addressing the first section we gave a great deal of thought of what ought to be the members of the board and we came up with a nine-member board which gives us the ability to have an odd count, therefore, ultimately having a 5-4 potential vote count, whereas if we have a 10-member board we could very easily be locked up 5-5 in many cases. And so we were looking for an odd count. As far as the Independents are concerned, there is only four out of the nine that are prescribed to be of the Democrat or Republican registration. The other five, as the Governor may choose, one is going to be the Secretary of State which, obviously, currently we have a Republican Secretary of State, but we could have a Democrat or an Independent could just as well be in that position so there is no party designation specifically in that position. The Governor also has the ability to choose the chairman which he may choose an Independent. Independents are not excluded by virtue of the way this is designed. There are five different ways that an Independent could ultimately find their way onto the board. It doesn't raise up an Independent specifically, but it does not preclude them as well, so I really don't think it's necessary and I also do not remember from accountability because