

**SPEAKER BAACK:** You've heard Senator Warner's closing on the first portion of the Warner amendment which is the first six lines of the Warner amendment. We will now proceed to vote on that first portion. All those in favor vote aye, opposed vote no. Have you all voted? Senator Warner.

**SENATOR WARNER:** Go ahead and record.

**SPEAKER BAACK:** Record, Mr. Clerk.

**CLERK:** 11 ayes, 11 nays, Mr. President, on adoption of the amendment.

**SPEAKER BAACK:** The amendment fails. This portion of the amendment fails. This is the first portion. We will now go to the second portion of the Warner amendment which is line 7 and continuing all along on page 1 over through line 2, on page 2. Senator Warner.

**SENATOR WARNER:** Okay, Mr. President, I...well, E & R will straighten it out. Those lines on the top of page 2 actually recognize the board going from five to six, but I guess that's not a problem. There is two portions to this one as well. The one is consistent, not all that different with some of the other provisions which are registration of either a political appointment, that is a partisan appointment by registration or as it is drafted, as independent and I should point out we're redrafting another amendment which just simply states that at least one member will be an independent among those that are voting. That's why I didn't pursue the call of the house on the previous amendment, but that will be identical then to the Accountability Commission, so this paragraph will still be pertinent assuming that that amendment would be adopted. But this then requires that registration would be for at least five years prior to the time of appointment to whatever position, whatever party or individual may be, and then the second provision is one which deals with the employees. And on this one I feel quite strongly that you should have a balance there as well. As I indicated in my opening, that's of more interest to me than the composition of the governing board that there is a balance and in particular when the board meets and frequently it seems to me that it's appropriate that that balance is carried on down through the entire operation. And, again, I would suggest that if someone raises the constitutional issue,