

reasonable change. I don't happen to agree with the concept that Senator Lindsay is afraid of, but realize that people could differ on that and, with that, I would agree to the first part of that amendment and I will vote for that and I would urge others to do so as well.

SPEAKER WITHEM: Senator Lindsay, you are recognized to close. Closing is waived. The question is, shall the first portion of the Lindsay amendment, the divided Lindsay amendment be adopted? All in favor vote aye, opposed vote nay. Have you all voted? Record, Mr. Clerk.

ASSISTANT CLERK: 25 ayes, 0 nays on the first part of the Lindsay amendment.

SPEAKER WITHEM: The first part of the Lindsay amendment is adopted. Senator Lindsay, would you like to open on the second portion?

SENATOR LINDSAY: Thank you, Mr. Speaker, the second portion of this amendment, subsection (2) of the amendment that was passed around, simply strikes Section 11. The intent of that being that the commission then which has powers that are set forth in Section 9, subsections (1), (2), (3), (4), (5), (6), (7), (8) and (9), enumerates the powers of the commission. What this amendment would do is to strike Section 11 which, in addition to those powers, sets forth duties and powers of the chief counsel. By striking Section 11, the broad powers that we left in the commission will remain there, but the potential for conflict between what the chief counsel is designated to do versus what the commission is designated to do, we get rid of that conflict. There are some things, I think, that are kind of intuitive that would be...that the chief counsel would have the obligation to do, for example, appointing and abolishing, excuse me, that's the wrong subsection, but such as preparing a budget, supervising the operations of the divisions, very clearly something that the commission could do. Presenting the commission, the annual report on the operations, again, clearly something the commission can instruct the chief counsel to do. Allocating, dispersing funds, again clearly something the commission could instruct the chief counsel to do. But then you get into the other issues, appearing before the Legislature which is something that does cause concern to me, having a specific mandate, and this is mandatory language. If you look back up to line 6 on page 6, this is mandatory language, the