

which is inefficiency, neglect of duty, misconduct, or malfeasance of office, and in those cases, obviously, there has to be a showing that in order for someone to be dismissed that they, in fact, performed something like...or did not perform, I guess, as they appropriately should. Secondly, the commission is accurate that under the provisions of the amendment the existing commission would have to...would no longer exist. However, there is nothing that precludes existing members to be...

SPEAKER WITHEM: One minute.

SENATOR WARNER: ...reappointed. The current criteria, and there's seven criteria that has to be met as far as the seven commissioners as to their background, that continues to be in effect. The Governor can remove the chairman as chairman or chairperson, rather, but they cannot remove a member of the commission once appointed, except for the same conditions that is true of the director. So I think under this provision, it is a broad policy issue, and that's how it ought to be looked at. This provision, there is a degree of isolation for political impact in that you have a fixed term, that people can only be removed for cause, both the director and/or the commission, and...

SPEAKER WITHEM: Time, Senator Warner.

SENATOR WARNER: ...one that serves at will of the Governor is the chairperson, but they cannot be removed from the commission, they can...Governor would only have the flexibility to designate one of the other six members as the...my time up? I'm sorry.

SPEAKER WITHEM: I'm sorry, yes, time. Senator Hillman.

SENATOR HILLMAN: Yes, Mr. Speaker, members, I think Senator Warner has done a very admirable job in explaining what is in the legislation. My point in rising this morning is to share a little bit, I believe, of what is the background and to try and explain maybe to the body that this is not a recent or new issue that we're talking about here. For me the frustration began over five years ago in serving on Appropriations Committee and looking at the NEOC, the reason for its existence, the real need for a state agency in dealing with issues of discrimination, but that the people that were involved in it were not being served