

SENATOR WESELY: Uh huh.

SENATOR CHAMBERS: Then it says, "In no event shall more than two members of the same regulated health profession," or others of these groups, "serve on a technical committee." So that would mean if the director appointed one person who's in the commission...I mean who's already in a profession that is licensed and regulated, and the one seeking licensure and regulation could be in competition, then one from that group would have to be appointed too.

SENATOR WESELY: That's right.

SENATOR CHAMBERS: Senator Wesely, do you think the fight is always fair if it is one to one?

SENATOR WESELY: (Laughter) Well, it is about as fair as you can get, but it depends who the one is.

SENATOR CHAMBERS: Okay.

SENATOR WESELY: And who the other is.

SENATOR CHAMBERS: Now if the director, and the reason for this is to prevent, as you indicated, the director from stacking a committee, could a director still stack a committee under this language by having one person from the existing regulated profession, who is highly competent, and then select a person from the one seeking regulation who is not on the par...on a par with the one who currently is on the committee?

SENATOR WESELY: You know that may occur. You know that is human fallibility, I guess.

SENATOR CHAMBERS: I'm not questioning motives now, I'm just asking how the amendment operates, so you'll understand what I am getting to.

SENATOR WESELY: Right.

SENATOR CHAMBERS: If the question is one of whether or not there will be fairness, this amendment, as a matter of fact, will not ensure that there is fairness, will it, since the director does have the last word as far as the appointment?