

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

[BOND; GAME AND PARKS; COMMITTEES]

The Executive Board of the Legislative Council met at 10:30 a.m. on Tuesday, November 1, 2011, in Room 2102 of the State Capitol, Lincoln, Nebraska. Senators present: John Wightman, Chairperson; John Nelson, Vice Chairperson; Mark Christensen; Deb Fischer; Mike Flood; Russ Karpisek; Chris Langemeier; Steve Lathrop; and Rich Pahls. Senators absent: Lavon Heidemann. Also present: Patrick O'Donnell; Joanne Pepperl; Dick Brown; Laurie Weber; Martha Carter; Diane Nickolite; Marshall Lux; and Nancy Cyr.

SENATOR WIGHTMAN: We're still a few committee members short, but I think we will go ahead and open. We scheduled the meeting for 10:30 so. We will be taking up three agenda items. And the first one will be the University of Nebraska Student Recreation Facilities Project. We might go around and have self-introductions of the committee. I think everybody knows who is here. Senator Christensen, would you start. Senator Christensen, would you start and introduce yourself. We'll just go around the table.

SENATOR CHRISTENSEN: Mark Christensen, Imperial, District 44.

SENATOR FLOOD: Mike Flood, Norfolk, District 19.

SENATOR NELSON: John Nelson, Omaha, District 6.

SENATOR WIGHTMAN: John Wightman, Lexington, District 36.

SENATOR LANGEMEIER: Chris Langemeier, Schuyler, District 23.

SENATOR FISCHER: Deb Fischer, Valentine, District 43.

SENATOR WIGHTMAN: Thank you. So with that, as I say, we have three agenda items. The first one will be the University of Nebraska Student Recreation Facility Projects. And then we will go to the Game and Parks Commission, and then committee assignments. So with that, I would ask all of you that come up to testify to sign a testifier sheet. So we will have those persons who are supporting the bond project at the University of Nebraska, if they would come forward in whatever order they desire to come forward. To the rest of you who might not know, Senator Lathrop from Omaha and Senator Karpisek from Wilber have just entered the room. So we're down to about one short.

STAN CAMPBELL: Good morning. I'm Stan Campbell, associate vice chancellor for Student Affairs and director of Campus Recreation at UNL. Thank you for the opportunity to speak with you today. As you may know, recreation facilities have taken on educational, student engagement, and social dimensions, in addition to being a

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

place for physical activity. Learning takes place in these facilities and often the foundation for healthy lifestyles are formed there. Nationally, quality recreational facilities have played an increasingly important role in the recruitment and retention of students. UNL is fortunate to have a very active student body. The national average for student utilization of recreational facilities is 70 percent, while ours is 87 percent. Recent recreation facility projects at our ten recognized peer institutions have averaged nearly \$70 million, with the largest being Ohio State's \$154 million recreation center. While our proposed \$21 million project is a significant amount of money, it is a rather modest project compared to what was recently or is currently being built on the campuses of our peer institutions. Our current recreation facilities would rank us in the bottom quartile of the Big Ten Conference. Building these facilities will bring us to about the midpoint of the Big Ten. There are three components to this proposed project: replace and/or renovate the East Campus Recreation Facility, construct a new Outdoor Adventures Center on the City Campus; and renovate the Sapp Recreation Facility to provide more space for cardiovascular exercise equipment. The current recreation facility on the East Campus was constructed in 1926. While recreation programming has increased over the years, no significant improvements have been made to this facility. This has resulted in a facility that is physically and programmatically unable to meet the demands of students, faculty and staff. The scope of the Outdoor Adventures program is much larger than it may first appear. There is the perception that it has a narrow focus, when in fact the program serves 42 percent of our student population. It includes adventure trips, bike shop, challenge course to enhance team building, group communication and leadership skills, climbing wall, outdoor gear rental, instructional classes, and a resource center. While we offer several adventure trips in eastern Nebraska, we also provide trips to central and western Nebraska. Examples include canoe trips to the Niobrara, Dismal, Platte, Loup, Calamus, and Republican Rivers, backpacking and bicycling trips to the Pine Ridge, bicycling on the Cowboy Trail, as well as trips to Ft. Robinson, and Halsey National Forest to name but a few. Over the past 40 years, we have provided adventure clinics and trips that have enhanced the skills and leadership abilities for thousands of students, faculty and staff. These have included outdoor experiences within and beyond the borders of our state. The popularity of bouldering has increased greatly, but we currently have no space for that activity. In addition, having only six climbing lines available at one time does not meet the need for current demand. And that does not consider what will be needed as our student population grows in future years. Fifteen years ago, climbing and bouldering were somewhat a novelty in campus recreation facilities. Today, they are considered essential. Regarding the third component of this project, we are currently severely deficient in the amount of space available for cardiovascular conditioning and strength training. According to national standards, given our student...given our current student enrollment we are deficient by approximately 18,000 square feet. Relocating Outdoor Adventures would permit us to remodel space in the City Campus Recreation center to provide additional cardiovascular equipment, which is in extremely high demand. UNL is nationally recognized as having an excellent campus recreation program. However, in recent

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

years we have fallen behind our peers in both the quality and quantity of available indoor recreation facilities. In order to meet the demands of today's students as well as those of future generations we clearly need significant improvements to our recreation facilities. We would greatly appreciate your approval of funding for this project. Thank you. [BOND]

SENATOR WIGHTMAN: Thank you, Stan, for being here. I have a couple of questions. One, you compared Nebraska to their peer institutions in the Big Ten. Was that done on the basis of student enrollment or was that done on total square footage or what was the basis? [BOND]

STAN CAMPBELL: Actually both. We are, as I'm sure you know, the smallest public institution with enrollment in the Big Ten. But at the same time, we are comparing ourselves to national standards in terms of cardiovascular equipment. And that is based on student enrollment. [BOND]

SENATOR WIGHTMAN: And whichever way you calculate it, we're still in the bottom quartile. Would that be correct? [BOND]

STAN CARPENTER: We're in the bottom quartile, correct. [BOND]

SENATOR WIGHTMAN: Other questions? Yes, Senator Fischer. [BOND]

SENATOR FISCHER: Thank you, Senator Wightman. Thank you for being here. I'm going to ask these same questions of the representatives of the Coordinating Commission when they come forward. We've received a report from the Coordinating Commission where they did not approve of this. But it was just the one project out of the three, is that correct? [BOND]

STAN CAMPBELL: Correct. [BOND]

SENATOR FISCHER: Are these three projects tied together? [BOND]

STAN CAMPBELL: They are linked, especially the Outdoor Adventures Center and the renovation of the Sapp Recreation Facility. We can't renovate the recreation Sapp facility without Outdoor Adventures moving out of that facility. And then in addition, the students in their vote on the referendum, this was considered one project. [BOND]

SENATOR FISCHER: Specifically to the outdoor recreation part of this, I'd like to go through that on the plan that was put forward by the Coordination Commission. Does the university have input into the comprehensive statewide plan... [BOND]

STAN CAMPBELL: Yes, we do. [BOND]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR FISCHER: ...in front of Coordinating Commission? [BOND]

STAN CARPENTER: Yes, we do. [BOND]

SENATOR FISCHER: And are you satisfied with what that comprehensive statewide plan is? [BOND]

STAN CAMPBELL: Well, I'm satisfied that we...this project would meet the goals and objectives of that plan. [BOND]

SENATOR FISCHER: So you disagree with the Coordinating Commission saying that it does not demonstrate compliance and consistency with the plan? [BOND]

STAN CAMPBELL: I do. [BOND]

SENATOR FISCHER: And why? [BOND]

STAN CAMPBELL: This is a project that is extremely valuable at our campus community. It serves a wide variety of students. And I think that was one of the misconceptions with the Coordinating Commission that it served a narrow purpose. And in fact, it serves over 42 percent of our student body. [BOND]

SENATOR FISCHER: The outdoor climbing wall, you have 42 percent use? [BOND]

STAN CAMPBELL: Well, not just the climbing wall, all of our Outdoor Adventures programs. [BOND]

SENATOR FISCHER: But with this specific project, refresh my memory what's being built on this. [BOND]

STAN CAMPBELL: Okay. It's about a 13,000 square foot facility as proposed. It would include an enlarged climbing wall. We currently have six climbing lines. We would like to go to approximately 18. And until it's finally designed, we won't know for sure, but that's our goal. It would include a bouldering wall, which we don't have currently. And that's one of the fastest growing areas of climbing. And we can't provide that. And then also it would provide an opportunity for our bike shop to grow. We have been extremely popular with our student population. And we can't meet demand in our current space. And then also we would provide opportunities for a meeting classroom where we could perform our clinics and seminars and instructional classes in outdoor adventures. And then also one of the areas that we're kind of on top of right now is storage area for all of our rental equipment, our tents, our backpacks, our sleeping bags, our cross-country skis, etcetera, and etcetera. [BOND]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR FISCHER: As you looked through the report for the Coordinating Commission, a number of the items were rated as low. One is the sources of funds requested are appropriate for the project. Do you know why that was rated low? [BOND]

STAN CAMPBELL: I think that was based on the perception that the Outdoor Adventures program served a small number of students, when in fact it serves 42 percent of the students. [BOND]

SENATOR FISCHER: Of the total student population at the university? [BOND]

STAN CAMPBELL: Total student population, of those fee-paying students, yes. The other one I think with that was...I lost my train of thought here. I'm sorry, I've lost that train of thought. [BOND]

SENATOR FISCHER: That's okay. One of the objections of the Coordinating Commission, which I believe we'll hear from them, is the 60 percent increase in fees and how that's going to impact lower income students, students that are working two and three jobs. I've heard from parents who are concerned to see that 60 percent increase in student fees. Is that for a year or is that a semester? [BOND]

STAN CAMPBELL: Well, that would be in a year. Actually, what we are proposing is phasing-in a student fee increase over a three-year period. Ultimately, it would reach \$60 per student per semester or \$120 for the year. Currently, students are paying approximately \$140 a semester to campus recreation. Their overall student fee, however, is \$482 per student per semester. [BOND]

SENATOR FISCHER: And I can appreciate the students took a vote on it. I understand 21 percent of the student body voted. Is that correct? [BOND]

STAN CAMPBELL: Correct. And that was the highest voter turnout in at least the last 30 years. [BOND]

SENATOR FISCHER: I also understand the Board of Regents gave unanimous approval to this. Is that correct? [BOND]

STAN CAMPBELL: That's correct. [BOND]

SENATOR FISCHER: But you know the Coordinating Commission, according to statute, has the responsibility to approve or disapprove. And then we have a responsibility to do that too. Do you think we're micromanaging? Do you think the statute needs to be changed, or should we pay attention to the Coordinating Commission? [BOND]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

STAN CAMPBELL: (Laugh) That's an interesting question. Yeah, I don't know. I guess I'm not an expert in that. And I would leave that to others to answer that question.
[BOND]

SENATOR FISCHER: Okay. Thank you. [BOND]

SENATOR WIGHTMAN: Thank you, Senator Fischer. Senator Nelson. [BOND]

SENATOR NELSON: Thank you, Senator Wightman. I share a little bit of the concern about spending \$4.7 million on an outdoor recreation center. Where are the climbing walls located now? [BOND]

STAN CAMPBELL: The current climbing wall is located in the Coliseum portion of the campus recreation center. It's actually on the edge of one of our basketball and volleyball courts. [BOND]

SENATOR NELSON: Is that part of the Sapp center? [BOND]

STAN CAMPBELL: Well, we kind of confuse people. The campus recreation center is comprised of the Coliseum, Sapp Recreation Facility, and Cook Pavilion. [BOND]

SENATOR NELSON: Okay. Is there some reason, if you want to go to 18, why you couldn't expand the climbing wall in that area? [BOND]

STAN CAMPBELL: Yeah, what we have right now is whenever that wall is open we lose access to that court. And by national standards we're also deficient in court space. And so that's one of the reasons we would like to move that wall to a separate location so we can recapture the use of that court. We're currently three courts below where we should be for national standards. [BOND]

SENATOR NELSON: And if you are going to triple the size, then that affects the size of the building you're going to have to build over there, the height and the size for an outdoor recreation center, doesn't it? [BOND]

STAN CAMPBELL: Well, the height would be the same, whether it's 6 climbing lines or 18 climbing lines. But, yes, the square footage, the footprint would be increased.
[BOND]

SENATOR NELSON: But you could get by with a one-story building if it weren't for that probably, I'm guessing? [BOND]

STAN CAMPBELL: Well, we certainly think there are efficiencies in keeping all of

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

Outdoor Adventures located in one spot. [BOND]

SENATOR NELSON: I have a letter here from a junior student who is a climber, says six climbers at a time. And that certainly is not going to accommodate the support of 30,000 expected students. My question is this, is it worthwhile spending that much money for just a very small portion of the students that are interested in climbing? [BOND]

STAN CAMPBELL: Well, again, the Outdoor Adventures Center is much more than just climbing. It also includes all of our equipment rental and all of our instructional classes and our bike shop and... [BOND]

SENATOR NELSON: You're in a very crowded space. I mean, the bicycle rental shop is in a very compressed place right there. [BOND]

STAN CAMPBELL: Yes, it is. [BOND]

SENATOR NELSON: And the idea is to move the exercise machines, the treadmills and everything to expand that. [BOND]

STAN CAMPBELL: Correct. [BOND]

SENATOR NELSON: Is that going to be sufficient? [BOND]

STAN CAMPBELL: No, it still will not allow us to meet national standards, but it will get us closer. [BOND]

SENATOR NELSON: Is there any thought of moving that exercise center to a different location and giving your bicycle shop and outdoor recreation a little more room in that spot? [BOND]

STAN CAMPBELL: Yeah, good question. The strength training and conditioning space is per square foot the most utilized space we have in the facility. We think it's very important to have that in a space where you can do multiple activities. We have a lot of students that will utilize that facility and then they'll go play basketball or they'll play volleyball or swim or play badminton or something like that. So for convenience for those students, we would like to keep that facility, keep the strength training and conditioning component in the Campus Recreation center, which is our main facility. [BOND]

SENATOR NELSON: Have you...you know, the old Coliseum and Sapp, the combination and everything, there's a lot of space in there. Have you looked at other areas on the campus where you could put the outdoor recreational center and have

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

enough room? [BOND]

STAN CAMPBELL: We have, we've taken a look at the entire City Campus and actually East Campus as well. It was decided that the Outdoor Adventures Center would be best located on City Campus and close to the campus recreation center and also close to the biker/hiker trails. Again, we have a large population of students that are utilizing bikes. And having the facility there, so they could access the trails easily, is important and also to be able to have the bike shop to provide maintenance for their bicycles. [BOND]

SENATOR NELSON: And students on the East Campus, do they come down there to rent their bikes? [BOND]

STAN CAMPBELL: They do. The East Campus facility we're proposing would not duplicate that space. [BOND]

SENATOR NELSON: Okay. Thank you, Mr. Chairman. [BOND]

SENATOR WIGHTMAN: Thank you, Senator Nelson. Senator Karpisek. [BOND]

SENATOR KARPISEK: Thank you, Senator Wightman. Thank you again for being here. We're talking about bonds, correct? [BOND]

STAN CARPENTER: Correct. [BOND]

SENATOR KARPISEK: No state dollars... [BOND]

STAN CARPENTER: That's correct. [BOND]

SENATOR KARPISEK: ...yet? I just had to put that out. (Laughter) [BOND]

STAN CAMPBELL: Well, according to the covenants of the bonds there would never be any state dollars going towards the project. [BOND]

SENATOR KARPISEK: Okay, thank you. The vote, again, you said was pretty overwhelming. [BOND]

STAN CAMPBELL: Seventy-two percent approval. [BOND]

SENATOR KARPISEK: And that was...all students on campus were allowed to vote, not just the ones that are residence hall or... [BOND]

STAN CAMPBELL: Right, that's correct. Any student that has paid their student fees, which is in this case all of our students, would have had the opportunity to vote. [BOND]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR KARPISEK: So even if I was a...if I was going back, living at home in my house, I still would have had the opportunity to vote? [BOND]

STAN CAMPBELL: Absolutely. [BOND]

SENATOR KARPISEK: Okay. And I was a little confused on the money that we're talking about, the \$120 per year. [BOND]

STAN CAMPBELL: Correct. [BOND]

SENATOR KARPISEK: And then you talked about \$480. [BOND]

STAN CAMPBELL: The total fee that students are paying for all of their fees, that would include Unions, the Health Center, our student newspaper, so forth and so on, in addition to campus recreation is \$482 per student per semester. [BOND]

SENATOR KARPISEK: So what would just this project increase it from where it is now to... [BOND]

STAN CAMPBELL: This would add \$120, well, \$60 per student per semester to that \$482. [BOND]

SENATOR KARPISEK: And I agree a little bit with Senator Fischer when she asked about if we're micromanaging. But there are zoning boards and things that go back to a city council that, the city council also can vote whichever way the zoning board will approve or deny. But it still goes back to the city councils. Thank you. Thank you, Senator Wightman. [BOND]

SENATOR WIGHTMAN: Thank you, Senator Karpisek. One other question: On this type of a facility charge that results in a tuition increase, do you always submit those to a vote of the students? [BOND]

STAN CAMPBELL: On our campus, and it's actually not a tuition increase, it's a student fee increase. But, yes, in our campus the tradition has been that we always submit that to a student vote. We are not required by Board of Regents policy to do so, but we very much value the student opinion. [BOND]

SENATOR WIGHTMAN: Okay. So I called it a tuition increase, but it's really a student recreational fee increase. Is that correct? [BOND]

STAN CAMPBELL: Correct. [BOND]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR WIGHTMAN: Senator Lathrop. [BOND]

SENATOR LATHROP: If I may, I wanted to ask some questions. It's...now that we are a member of the Big Ten, it's our intention to try to expand enrollment at UNL. Is that the case? [BOND]

STAN CAMPBELL: Well, I'll let the Chancellor talk to that. [BOND]

SENATOR LATHROP: Okay, maybe I'll wait until he testifies. Thank you. [BOND]

SENATOR WIGHTMAN: Thank you. Senator Fischer. [BOND]

SENATOR FISCHER: Thank you, Senator Wightman. Just a quick follow-up here on something you said: Did I hear you correctly that every time you're going to increase student fees that the student body gets to vote on that? [BOND]

STAN CAMPBELL: They do. We have a process with our Committee for Fee Allocation, which is a 13-member student group, that all student fee requests go to that group on an annual basis. [BOND]

SENATOR FISCHER: And where do the ideas for increasing these fees usually come from? [BOND]

STAN CAMPBELL: A combination, sometimes they... [BOND]

SENATOR FISCHER: Give me some examples on what's happened. [BOND]

STAN CAMPBELL: ...sometimes they come from the students, that they are asking us to increase a service or provide something we are not currently providing. Other times it might come from the administrators of the units that are requesting the student fee increases. [BOND]

SENATOR FISCHER: Have all of these votes been in the affirmative? [BOND]

STAN CAMPBELL: Yes. [BOND]

SENATOR FISCHER: Thank you. [BOND]

STAN CAMPBELL: Yeah, we've taken it through the Committee Fee Allocation and also to student government, because our Committee Fee Allocation recommends to our ASUN student government. And so it's received approval in both instances. [BOND]

SENATOR FISCHER: So the students in effect are very happy with increasing the fees,

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

but they're not happy when they get a tuition increase usually? [BOND]

STAN CAMPBELL: Well, I'm not sure about the tuition increase. But I know they have a great deal of input over the student fees. And we would not increase them without their support. [BOND]

SENATOR FISCHER: What about tuition increases, do you...is there a process there for student input? [BOND]

STAN CAMPBELL: I'll let the Chancellor answer that one. (Laughter) [BOND]

SENATOR FISCHER: All right. Thank you. [BOND]

SENATOR WIGHTMAN: Thank you, Senator Fischer. Any other questions? Thank you again. [BOND]

STAN CAMPBELL: Thank you. [BOND]

LANE CARR: Good morning. You gave Stan all the tough questions, so I should be brief. Good morning. My name is Lane Carr, C-a-r-r, and I'm the UNL student body president and the student Regent. I wanted to just thank you for the opportunity to speak before you on an issue that's very important to our university and also to the students that I represent. I'm obviously here today to urge you to vote in favor of the issuance of these bonds. It's an issue that students are very interested in, that's why I'm here today. That's why you see some students in the crowd. And so you've already heard some of the statistics from Stan. But I just wanted to briefly reiterate some of the importance of a vibrant campus rec center facility. Eighty-seven percent of students at the University of Nebraska use the student rec center, and 42 percent use the Outdoor Adventures Center, as Stan outlined. As health issues become more and more evident in our society, it's specifically important to encourage a healthy lifestyle, especially at a time when students are all together. And I think that's one of the reasons in addition why the rec center issue is so important. Additionally, Stan talked about how our space is currently deficient. And the Chancellor is going to talk about some of his growth goals. And I can assure you that with 6,000 more students our spaces will be even more deficient. More so and perhaps the most important side of things for me is that students want this to pass. It's been an issue at the forefront of attention for several years, but last year in October it became solidified with students' support. In a ballot initiative in October, we had...in one question it asked us for two things: Are you willing to...are you willing and interested in building a new recreation facility on East Campus? Are you interested in building a Outdoor Adventures Center on City Campus? And are you willing to...are you interested in renovating the facility, the Sapp facility. More importantly, they asked students, are you willing to pay for it? And students overwhelmingly voted yes, 72 percent voted yes in the highest voter turnout in UNL

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

history, higher than elected me, so. I don't know if that's saying anything but...more so, we've talked a lot about...Stan talked a lot about the Committee for Fee Allocations. And I think you need to know that this committee is very diligent with the student dollar. We were talking about penny increases in some student fee users and facilities and programming. And those pennies added up. And some of them got cut. And so last year, actually, we saw an \$11 drop in student fees because of the work of CFA and student government. And students voted then to put the additional cost on top of that, the \$22 cost on top of that for the rec center projects. So we're not willy-nilly with the way that we spend our money. We take a very responsible approach in to looking at these fees. And finally, my last little point is that it's within our purview, and this is the only thing within our purview, is to control our student fees or to have at least some say in our student fees. And so students have for generations made a commitment to bettering the university with the Health Center, which was a bond issue, the Union, and the Union renovation and expansion, with the Jackie Gaughan Multicultural Center, which serves as a bright star on our campus, and our rec centers as well. And so that's why I'm excited to have the opportunity to leave that kind of legacy for future students. So I'll open it up for questions, if you have any. [BOND]

SENATOR WIGHTMAN: Thank you, Lane, for being here. Any questions? Senator Fischer. [BOND]

SENATOR FISCHER: Thank you, Senator Wightman. Thank you, Mr. Carr, for being here. Lane is one of my constituents. He's from Ainsworth. And your senior or junior year when... [BOND]

LANE CARR: Senior. [BOND]

SENATOR FISCHER: No, no, when you came down and shadowed me for the... [BOND]

LANE CARR: Oh, yeah, senior year. Yes. [BOND]

SENATOR FISCHER: That was probably the best experience you ever had, (laughter) I imagine. [BOND]

LANE CARR: Yes, it was great. [BOND]

SENATOR FISCHER: When you were talking about the vote, the three areas, was that broken down on the ballot or was it all grouped as one vote? [BOND]

LANE CARR: It was all in one question. [BOND]

SENATOR FISCHER: Okay. [BOND]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

LANE CARR: But it was very clearly, very explicit how the money would be broken down and the projects on that ballot too. [BOND]

SENATOR FISCHER: Okay. How many students do you know that have student loans? [BOND]

LANE CARR: Several, several. I don't know if I could give you a percentage of students that have student loans, but several. [BOND]

SENATOR FISCHER: Do you know of those students, friends of yours who have loans, are they supportive of this project? [BOND]

LANE CARR: That's an interesting question, and I think so, I really do. Because these students understand that college is about a lot more than just getting an education. And that's about, you know, meeting new people, having fun, growing as a person and as a citizen and not just as an academic mind, so. And so, yes, I think that those student fees and the loans that they get for...to pay for their education, they're willing to pay those. [BOND]

SENATOR FISCHER: As I travel our district, I do hear from people, and I brought this up at listening sessions this summer and fall, this issue because I knew it was coming to us. And I do have parents who are concerned, parents in Ainsworth who are concerned about the increase in fees. What would you say to them? [BOND]

LANE CARR: I would tell them that this is about the well-being of...the total package that their student is going to get when they're a student at the university. It's just, you know, it's something that we don't take lightly and I know that our administrators don't take lightly the student fees because that's something that we have direct control over. But I would tell them that these services that students have and should take advantage of--the rec center, the Union, the Health Center, programming, student government, put a little selfless plug in there about student government--but those are the kinds of things that students use on a day-to-day basis or should. And so I would encourage them to look at those fees and say, son or daughter, why aren't you taking advantage of these things? We're paying them or you're paying them or a student loan is paying them, so take advantage of them. [BOND]

SENATOR FISCHER: Is there any way you can get more information out to students? How is that done now? How do... [BOND]

LANE CARR: Yeah. [BOND]

SENATOR FISCHER: How do kids know what's available? [BOND]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

LANE CARR: Yeah, that's actually... [BOND]

SENATOR FISCHER: You know, if you're just going to class and going home, how do you reach those kids? [BOND]

LANE CARR: Yeah, that's actually a very tough problem that we have on campus is encouraging students to take part in this fee process. Students, we're lucky not only in our university system but within our Big Ten peers to have this kind of power. And so one of the things that students are really trying...or student government is really trying to do is be transparent with where these fees are going. That's one of my biggest initiatives as student body president is letting students know: You're paying \$11.34 for the University of Nebraska student government. Are you happy with us? This is our Web site. So we're really trying to point students to the Web sites and to the facilities. And I think our university does a great job of, during new student enrollment, really telling students about the things and the opportunities that are available. [BOND]

SENATOR FISCHER: Okay. Thank you, Lane. And thank you for representing the 43rd District so well. [BOND]

LANE CARR: You're welcome. Yeah. Thanks. [BOND]

SENATOR WIGHTMAN: Thank you, Senator Fischer. Senator Lathrop. [BOND]

SENATOR LATHROP: Lane, have you, in addition to your role in student government, have you been one of those tour guides that bring prospects to the university? [BOND]

LANE CARR: I was. Well, not a tour guide, I was for the students that were already there. And I was a new student enrollment leader. So I was able to take the freshmen students around. [BOND]

SENATOR LATHROP: But you haven't taken the high school prospects and done the tour of the university and talked to them about... [BOND]

LANE CARR: Just friends, but I have not taken part in that. [BOND]

SENATOR LATHROP: Okay, okay. I'll wait and ask the Chancellor. Thanks. [BOND]

LANE CARR: Okay, thanks. [BOND]

SENATOR WIGHTMAN: Thank you, Senator Lathrop. Senator Flood. [BOND]

SENATOR FLOOD: Lane, what's your major? [BOND]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

LANE CARR: Political science and history. [BOND]

SENATOR FLOOD: Very impressive. You've done well. [BOND]

LANE CARR: Thank you. [BOND]

SENATOR FISCHER: He shadowed me. (Laughter) [BOND]

LANE CARR: Lot of guidance, lot of guidance from over here. [BOND]

SENATOR LATHROP: We got that, we got that. [BOND]

SENATOR FLOOD: You obviously understand what not to do. (Laughter) [BOND]

LANE CARR: You know, what? I met you...Senator Flood, I met you on that day that I shadowed Senator Fischer, so. [BOND]

SENATOR FLOOD: You are very polished, you're very good, so is Senator Fischer. [BOND]

SENATOR WIGHTMAN: Thank you. I have but one question. You talked about an \$11 decrease, I thought a year ago. Did you actually take that decrease to where the student fees went down by \$11? [BOND]

LANE CARR: Well, the student fees went up \$11, but that was because students voted or CFA took down fees by \$11 and then the rec center fee that was assessed took it up the \$22. So there was only an \$11 difference there. [BOND]

SENATOR WIGHTMAN: Oh, okay. Thank you. Any other questions? If not, next testifier. [BOND]

HARVEY PERLMAN: I think I'm the last one, so. And unfortunately, I haven't shadowed Senator Fischer, but (laughter) maybe I'll start, depending on how this comes out. (Laughter) [BOND]

SENATOR LATHROP: Better hurry up. (Laughter) [BOND]

HARVEY PERLMAN: Yeah. Can we take a break for a few minutes and I'll...I'm Harvey Perlman, Chancellor of the University of Nebraska-Lincoln. Thank you for letting us be here and talk about this project. This project has been carefully considered by our student body, by our campus recreation individuals, by the campus administration, and the Board of Regents. And each of us has determined that it was a cost-effective and

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

financially sound decision and central to what this university requires. Why this project? We have several ambitious goals for our campus. And we think that they are goals that the state ought to embrace because they were good for the state of Nebraska. We want to go to 30,000 students. We've had two priorities since I've been Chancellor--undergraduate education and research. Those relate to the interests and needs of the state of Nebraska--bringing young people here and creating economic activity. And I think we've been fairly successful on that. And the reason we want to grow is because that's 5,000 more young people in the state of Nebraska getting a college degree. We want to increase our retention and graduation rates and to make our students more successful. And engagement in campus rec is one part of that effort. And we want to increase our research. If we achieve these goals as I indicate, I think Nebraska will benefit. To achieve them we've got to make a number of investments. Normally, we think of classrooms and faculty and dormitories and the kinds of things that you and I experienced when we were in school. But recreation turns out to be one of the significant elements that students look at in making a choice about where they're going to go to university, and it also relates to faculty. Faculty participate in the recreation facilities, and recruiting them is also significant. And it's not unrelated to Innovation Campus since access to campus recreation facilities is one of the amenities that universities offer when companies locate on a research campus. So what's the situation here? First, the commission recognized the importance of campus recreation. They recognized it as a high priority because they approved two of these provisions that were highly...two of these projects that were highly justified. In fact, it approved 78 percent of the costs associated with this request. What they didn't approve was an Outdoor Adventure, which I sense, and I sensed it initially when I thought about it, that this is not part of the kind of campus recreation that you and I are familiar with. If we had flag football, we were satisfied. That is no longer true of the students that we attract to the university. You would probably not believe, as I did not believe, that the single most sport that is most participated in is broom hockey. And our kids drive to Fremont because we don't have an ice rink. So the world has changed. And you have to, if you're going to compete, have to be responsive to the world as it is. The commission approved the Sapp Recreation center. But we can't do that unless we build the Outdoor Adventures Center. Those two programs are linked, they're tied together. Now East Campus, if any of you have seen East Campus facility I shouldn't have to talk to you about that. It's a 1926 un-air-conditioned building with mold and other things that existed since I was in school and not anything has been changed on there since. I can't go forward with any of these projects unless we go forward with all of them. I don't think that would be in good faith to the student body that voted in favor of these projects. So let me address the issue of student cost. The commission disapproves 22 percent of this project on the basis that it will keep the cost of education down for Nebraskans. So what cost would be saved? The total cost of the project was \$168 a year in student fees. The project disapproved is 22 percent of that figure or \$37 a year per student, about a dollar a week. That does not account for the \$22 a year that our student government cut from existing fees so that the costs of the recreation center would not

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

be as high for each of the students and their fees. More importantly, and I think this is significant, this Legislature a few years ago recognized that one of the ways that this university could be successful was to recruit nonresident students who pay more and would therefore allow us to keep the cost of resident students down. You had a task force and it urged the university to continue to increase nonresident students as a way to do that. And we've tried to do that and we continue to try and do that. We'll not be able to attract the nonresident students that we need if we can't be competitive with the other schools that they're visiting. And they're visiting other Big Ten schools and other Big Twelve schools and schools like ours. And, frankly, as Stan Campbell has indicated, we are not at this point in time competitive. So you know, there are figures like we're increasing the fee 60 percent. That's not...you know, numbers are numbers. You can look at it any way you want. The total fees a student pay is \$1,400 a year. The cost of the Outdoor Adventures system, the cost of this entire project increases it .8 percent. Now I think the students thought this was justified. I think in fact it will reduce the pressure on costs for nonresident students...for resident students because of our ability to attract nonresident students, and I think it makes good sense and I hope you will approve it. I'd be happy to respond to any questions you might have. [BOND]

SENATOR WIGHTMAN: Thank you, Chancellor, for giving us the information. Senator Karpisek. [BOND]

SENATOR KARPISEK: Thank you, Senator Wightman. Thank you, Chancellor, for being here. You talked about the staff using the recreation. Is that a perk or is that... [BOND]

HARVEY PERLMAN: No, they pay for it. [BOND]

SENATOR KARPISEK: So they pay along...were they involved in the vote? [BOND]

HARVEY PERLMAN: No. They can vote by paying for it or not and it's a fee for service on staff and faculty. [BOND]

SENATOR KARPISEK: Okay, they can opt out of that. [BOND]

HARVEY PERLMAN: Yes. [BOND]

SENATOR KARPISEK: And I do appreciate you talking about the good faith of the student vote. I feel strongly about that. We often say if you didn't vote, you don't...you really don't have a voice to complain. And I agree with that so. [BOND]

HARVEY PERLMAN: Well, you know, it is quite remarkable the number of students that voted, the percentage that voted. If you want to compare, 70 percent of the 21 percent that voted means that 14 percent of the student body voted in favor of this recreation

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

center. In your last state ballot issue, as to whether to keep the State Treasurer's Office, 12 percent of the population voted in favor of it, of the registered voters. [BOND]

SENATOR KARPISEK: Well, and I think this project is not only good for students but it also is a good marketing tool. [BOND]

HARVEY PERLMAN: Right. [BOND]

SENATOR KARPISEK: Okay. Thank you, Chancellor. Thank you, Senator. [BOND]

SENATOR WIGHTMAN: Thank you, Senator Karpisek. Senator Christensen. [BOND]

SENATOR CHRISTENSEN: What does the Coordinating Commission, I know they come against this, if we approve it, does it go on? Do they have any...do they have to change theirs in favor to go on? What is the ultimate? Is it just the Chancellor? Is it just us? [BOND]

HARVEY PERLMAN: My understanding is that their decision is a recommendation to you. That what we're asking you to do is to approve...allow us to go out and issue revenue bonds to build these facilities. [BOND]

SENATOR CHRISTENSEN: We are the final vote then? [BOND]

HARVEY PERLMAN: So you are the final vote. [BOND]

SENATOR CHRISTENSEN: That's the way I thought it was. Explain again what all gets conflicting? You know, with their recommendation you don't build the new outdoor facility. I know the courts get affected. What else is affected and can't be done if you went with their plan? [BOND]

HARVEY PERLMAN: None of this project can be done realistically. We can't do...we can't expand the aerobic facility because we would have to move Outdoor Adventures out of there in order to do it. And I'm not going to build the East Campus facility because I don't think it would be faithful to the student vote. I mean, when you think it's quite remarkable. Most of the students on our campus are on City Campus and yet they voted in favor of approving improvements on the East Campus. And I just...I would hate to see that effort inhibited or at least stopped because of this issue. [BOND]

SENATOR CHRISTENSEN: Well, I appreciate the vote of the students and your comments because I remember playing in the old East Campus facility in the eighties. And I thought it was obsolete then so. (Laugh) [BOND]

HARVEY PERLMAN: Yeah. [BOND]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR CHRISTENSEN: But... [BOND]

HARVEY PERLMAN: It was. Well, see, Senator, I can remember doing it in the sixties. (Laugh) [BOND]

SENATOR CHRISTENSEN: Thank you. [BOND]

SENATOR WIGHTMAN: Thank you, Senator Christensen. Senator Lathrop. [BOND]

SENATOR LATHROP: Maybe if I can, what you're suggesting is this is a feature for prospective students when they come to the campus they have in their own mind. Typically, a student is going to go to several universities in the search. Is that right? [BOND]

HARVEY PERLMAN: Correct. [BOND]

SENATOR LATHROP: I'm doing this now with my fourth daughter. [BOND]

HARVEY PERLMAN: Fun. [BOND]

SENATOR LATHROP: And the things that attract a student to the university are features like studying abroad program, the recreational facilities. They really are in some measure not related to the major that they're going to study or the faculty and things like that. Those may be important to the parents perhaps. But the students come and they're looking to see what the courtyard looks like, does it feel right, and are the features there. And this is one of those kind of features. [BOND]

HARVEY PERLMAN: Yeah. Right, exactly. And we have an extraordinary opportunity now, moving into the Big Ten, to recruit in that footprint. There were, a year ago, there were high schools in Chicago that would not allow us into their high school until we became a member of the Big Ten. Last weekend, 30 high school counselors from Chicago flew to Lincoln, Nebraska, to look at our institution. And this weekend we have 30 more. We have an extraordinary opportunity. But students in those...in that footprint are looking at campuses like Madison, and Northwestern, and Illinois, and Ohio State, and that's what we're competing against. Now we're not going to try and be 55,000 students and we're not going to compete dollar for dollar. But where we have cost-effective ways to create an environment that's likely to be attractive to them, I think we ought to do that. And this is certainly one. [BOND]

SENATOR LATHROP: Can I ask a question about tuition and fees? [BOND]

HARVEY PERLMAN: Sure. [BOND]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR LATHROP: If we have this increase to cover the bonds that we're here to talk about today, are our fees and is our tuition competitive with those that we compete with? [BOND]

HARVEY PERLMAN: We are a very low tuition university compared to our peers. In the Big Ten we will still be at the bottom. And in the Big 12 or in the Regents peer group, which is a mixture, we're in the bottom half. And it is still an extraordinary value. Now there are reasons that we don't gloat about that. We understand personal income is different in the states. We understand the economic circumstances of some families are different. We have Collegebound Nebraska where Pell-eligible students in Nebraska pay no tuition to the university, so I think we work hard on access. But one of the strategies of access for resident students is to attract nonresidents who pay twice as much. And this is part of this project. [BOND]

SENATOR LATHROP: That's all I got. [BOND]

SENATOR WIGHTMAN: Thank you, Senator Lathrop. Senator Pahls. [BOND]

SENATOR PAHLS: Thank you. Thank you, Chancellor. I think every program that has been brought to us it's hard to argue because we want the state of Nebraska to look good, we want the university to look good. But where does it stop is what I'm saying? I mean, when does this increase stop? Because I appreciate, because many years ago I was that idealistic young student who was saying, hey, do this, this, this when I was going to school. And I think we have a lot of those idealistic students out there who don't have jobs. The pragmatic part is what concerns me, the cost. I mean, just sent a daughter through school and she had scholarships. And she has a \$30,000 loan. She's just lucky that she has a dad who's going to save her. There are a lot of those people who don't have that. And I think that we just keep chipping away. Am I being too pessimistic here? I'm trying not to be. [BOND]

HARVEY PERLMAN: Yeah. Like any institution or any cost for service, I mean, it's going to go up, right? I mean we know that, just the price of food is going to go up. What I think you want us to do is to find the right balance between equality of the institution and Nebraskans' need in order to be competitive and restraining costs to the extent that we can. You know, this Legislature impacts the cost of students as much as we do. [BOND]

SENATOR PAHLS: That's why I'm trying to move myself to be more optimistic than pessimistic. The thing about it is of these graduates from your institution, jobs, most of them are getting jobs. Can you tell me that ratio? I mean, do you have any idea on this? [BOND]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

HARVEY PERLMAN: I do not. It varies considerably with respect to discipline and what college they graduate in. And I'm certainly not in a position to deny that the job market is tight right now. But if you were going to...if you were advising an 18- to 22-year-old, I think you still...the advice is that in the long run, in order to be successful you're going to need the human capital that's necessary to compete in this economy. And that's going to be a degree from a higher education institution. And we happen to think that the University of Nebraska-Lincoln provides the best opportunity for that in the state of Nebraska. [BOND]

SENATOR PAHLS: And I can buy into that. But then we have a President right now who's telling students that we will perhaps dismiss some of your loans 20 or...instead of 25 years, 20 years from now. I mean, there's...I just think that sometimes the timing of what we want is not always, you know, I'm just...I know it's a mixed bag. Thank you. [BOND]

HARVEY PERLMAN: Yeah. [BOND]

SENATOR WIGHTMAN: Thank you, Senator Pahls. I have one question and then Senator Nelson has some questions. But do you, Chancellor, do any kind of a student survey to substantiate that this is a major factor in...and I don't doubt that it is, but do you do a survey, do you establish that, or do you just hear feedback from students who apply or... [BOND]

HARVEY PERLMAN: Senator, there are some national studies that have actually done systematic surveys of students as to what impacts their college choice. And we certainly have plenty of anecdotal evidence on our campus that that's true. [BOND]

SENATOR WIGHTMAN: Thank you. Senator Nelson. [BOND]

SENATOR NELSON: Thank you, Senator Wightman. Thank you, Chancellor, for coming today. [BOND]

HARVEY PERLMAN: Sure, Senator. [BOND]

SENATOR NELSON: You cited a figure of \$1,100 in fees a year. What does that include? [BOND]

HARVEY PERLMAN: Fourteen hundred. [BOND]

SENATOR NELSON: Fourteen hundred. [BOND]

HARVEY PERLMAN: Yeah, let me clarify something that Stan Campbell said. Fees are in two categories. There is a category that we look to the students to control. There is

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

another category of fees that we do not, that that's an administrative choice. So mandatory fees, student health, student unions, all of those kinds of things are included in that. A lot of the student services that we provide, I mean, this state has had a policy that primarily student fees should cover the noncurricular aspects of the student experience. [BOND]

SENATOR NELSON: So according to the coordinating council, by 2014 it would be up to \$445 a year. [BOND]

HARVEY PERLMAN: Their talking about the part of the student fee that is based...is pledged against construction. [BOND]

SENATOR NELSON: Okay. Well, I came up with the same figures that you did that...where we're talking about perhaps a \$39 decrease here if it did not include the outdoor recreational center. I go along with Senator Pahls a little bit. Do you happen to know how many of your students have student loans? What percentage, 80 percent, 90 percent? [BOND]

HARVEY PERLMAN: I think the number was less than that. I don't know, Ron, do you remember? [BOND]

RON WITHEM: I don't, it's a significant amount and (inaudible). [BOND]

HARVEY PERLMAN: Yeah, I don't. [BOND]

SENATOR NELSON: Well, we've heard national... [BOND]

HARVEY PERLMAN: The number that rings in my head is 60 percent, but... [BOND]

SENATOR NELSON: It's astounding, I mean, I think on the national level some have cited a figure of \$120,000 in student loans. But I don't know whether that's an average or not. [BOND]

HARVEY PERLMAN: Our average student loan on...our average student loan is very low compared to the rest of the country. [BOND]

SENATOR NELSON: Okay. But I didn't ask this of the president of the students, but isn't there a possibility that if loans are paid (inaudible) and that's always put out, you know, in the distance, they have to be repaid some time. Our President doesn't necessarily think that they have to be repaid. But one way or another the taxpayer winds up, you know, supporting some of this it would seem to me. And the coordinating council I think is just concerned about increasing fees, and I think that's a legitimate...even if it's leaving one of the elements out, would not reduce it that much. I

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

think of when I was at the university even before you were, what the student fees were at that time, minimal. But where...this is 30 years down the road. I mean, the present student body may be all in favor of this. But you got to think about this is a continuing sort of thing and tuition fees and other things are going to increase. So I think...I just think it's incumbent for the university to pull out all the stops to see if...where they can save money. And I'll go back to the Sapp center. Isn't it possible that it's worthwhile giving up a court or two so that you can have the expanding climbing wall and things of that sort? There's a lot of space there. And you know, that's taking away from one thing to achieve what a small portion of the students want. But I just throw these out for consideration. Have you exhausted every possibility as far as an outdoor recreation center as far as doing an alternative? [BOND]

HARVEY PERLMAN: Senator, we've been looking at expanding campus rec for at least five years. We've had external consultants come in, we've looked at it ourselves. I rejected a larger project four years ago because I didn't think we could afford it and because it had too many implications for our campus. This is a modest one. Five years ago, the Coordinating Commission approved a recreation center for UNO that was \$70 more a year, which included climbing walls and all the rest. I mean, we're trying to do the best we can. And I again just want to urge you to consider that, you know, it's like the business that quits advertising when they're having a problem and cutting off their customer base. I mean, you've got to make the investments that will attract people to your institution. That's the way we're going to survive. It's critically the way we're going to survive. And we can't do it without making some investments that are likely to attract that student body. [BOND]

SENATOR NELSON: One final question: What about the possibility of getting private funds or alternate funding for an outdoor recreation? [BOND]

HARVEY PERLMAN: Yeah, the students have urged me to try and find donors to do campus recreation facilities. And frankly, I have not been able to locate one whose interests lie there. [BOND]

SENATOR NELSON: Thank you. [BOND]

SENATOR WIGHTMAN: Thank you, Senator Nelson. Thank you, Chancellor Perlman. [BOND]

HARVEY PERLMAN: Thank you. [BOND]

SENATOR WIGHTMAN: I guess I didn't ask, any further questions? Okay. Are there further testifiers? [BOND]

CHRIS EIGBRETT: Hi. I wasn't going to speak, but I think I would like to. [BOND]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR WIGHTMAN: Would you sign in and then give us your name. [BOND]

CHRIS EIGBRETT: Thank you. My name is Chris. And I would like to address you as a parent of a college student and sort of as an informal representative of all of our friends who are also parents of college students. And I don't really have any official numbers or percentages for you. I just have sort of a feel. And our children are all in a range of having student loans or having scholarships or having to pay all of the costs for their education themselves, on their families and on themselves. Most of our children work, are going to school and have jobs. Quite a few of them have scholarships and then they also...but their scholarships only cover tuition or part of their tuition. But they have to pay all their student fees and their housing and meals and those kinds of things. So they either have to help with those costs or foot the cost themselves or their parents have to do those as well. And one thing that is coming through is that this is a project that they got to decide upon themselves. They can't decide about tuition and whether it goes up or down. There are quite a few of them who are in engineering college whose tuition was raised because they're in the engineering college instead of in another college. And they had no real say about that, yet they still all voted in the student election and voted what to do with their student fees. And that was really important to them to be able to have a say in part of it. And it's usually the part that they really have to help pay for is student fees and housing and things like that. Some of them have lived in the dorm, some live off campus, some live in various...it's not the Greek sororities or fraternities, it's the...it's some...ones that are affiliated with certain churches that have housing on campus. Some have lived off campus in their homes. And they all are in favor of doing what the students wanted to do with the student fees. And they all voted. And I think that says a lot, that they all care enough and want to vote and put this out there and want to be listened to and want their decisions to be respected and utilized. And so they said, you know, we pay for the Health Center, we pay for a lot of things that maybe we don't even use. So we're willing to pay for things that we do use. And many of them are biking around and have gotten bikes from the rec center and have to take their bikes to the rec center for repair and maintenance. They've used a lot of things from the equipment rental through various groups and organizations, like a church group will go and get tents from the equipment rental. And I know for me, as a person who lives here in Lincoln, my mom does the Osher Lifelong Learning Institute classes. And they have classes through the rec center there. And she's always very excited about that, she and her friends. And so we also know that some of the schools in Lincoln will go to the equipment rental and be able to rent equipment for some of their trips. My son and his friends were able to do that through their high school here in Lincoln. So I think it's...it covers a lot more than just a climbing wall or things that we generally think about. And I think the students have a better sense of that than we do as parents. And I have to say in the eighties, when I was on East Campus, (laugh) and tried to use the rec center and part of the problem then was we don't have the funds to renovate this. And I'm sorry to hear that it's still not renovated now, all these years. So I think this is a much bigger,

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

more important issue than maybe gets put out there so. [BOND]

SENATOR WIGHTMAN: Thank you for being here. I missed your name. [BOND]

CHRIS EIGBRETT: Thank you. My name is Chris. [BOND]

SENATOR WIGHTMAN: Okay, last name... [BOND]

CHRIS EIGBRETT: Eigbrett. [BOND]

SENATOR WIGHTMAN: Okay. Any questions from anybody? Thank you. Do we have further testifiers? Or is the Coordinating Commission just going to respond to questions or are you going to testify or... [BOND]

CARNA PFEIL: Good morning. I'm Carna, C-a-r-n-a, Pfeil, P-f-e-i-l, and I'm the associate director for the commission. And we are here to answer questions. Our executive director sent all of you a letter. And that sort of detailed the things that our commissioners struggled with as they were approving and disapproving. We actually went through three votes on this. So it was a difficult issue for them. But they decided that the Outdoor Adventure Center was one that they were not going to recommend to you to fund. And so we're here to answer any questions. I do have Mike Wemhoff, who is our facilities officer, with me. And he actually reviewed the projects. [BOND]

SENATOR WIGHTMAN: Would the two of you want to come up together and answer questions at the same time. If you're not testifying, that might be easier to... [BOND]

CARNA PFEIL: Otherwise, I'm just going to have to refer to him anyway, so. [BOND]

SENATOR WIGHTMAN: Senator Christensen, you have questions? [BOND]

SENATOR CHRISTENSEN: Thank you, Senator Wightman. How did you guys look at dealing with the situation, didn't do the Outdoor Adventures, of handling all the complications that come up with what's been proposed? Did you have another idea or how was you handling it? [BOND]

CARNA PFEIL: We did, and one of the...and we asked the university if they had looked at outside funding where they could gather donation, because we felt that the project was valuable. I mean, it is a good project to do, but that the funding was...the information that we received, there were about 11 to 15 percent of the kids that actually use that. And that came from a survey that the university did for all...with all of the students. They got survey results. And of those students that answered the survey, and I can't remember exactly, 11 to 15 percent of those students said they used the outdoor recreation center. Our commissioners felt that that was not a very high percentage of

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

students using that. We are hearing different figures now. That was not available to us when we looked at this project. And so our commissioners looked at it and said, it didn't seem appropriate for all of the students to pay for a facility that was only used by a small percentage of the students. So we suggested that they do some type of outside funding or a fee for those students who wanted to use that type of facility. So that was... [BOND]

MIKE WEMHOFF: Yeah. And there were other alternatives also that we looked at. One was brought up about the possibility of moving just the equipment rental portion out into another university facility. That is, as you said, a one-story space. It could be done relatively cheap. And then that would provide some additional space for the cardio equipment, the weight training, that type of need where there is a shortage on City Campus. Another alternative that has not been discussed is in 2014 the UNL volleyball program will be leaving the Coliseum, it is our understanding, once the Devaney Sports Center is renovated in the future. It's not been heard as to what would then be done with the space made available once they vacate the current rec center. That's another potential opportunity for Outdoor Adventure space. It would delay the project, sure. But it's an option. [BOND]

SENATOR CHRISTENSEN: The barn as I'll call it is currently, or at least when I was in school, maybe shouldn't say currently, when it wasn't being used by a volleyball team, was used for recreational basketball, volleyball, other sports at that time. Is it not available for that now or will it not just continue with its current use but just be available more? [BOND]

MIKE WEMHOFF: Which facility are we talking... [BOND]

SENATOR CHRISTENSEN: The old volleyball facility, the Coliseum, the barn it was called for years, the basketball... [BOND]

MIKE WEMHOFF: Yeah. Right now that building was renovated about 20 years ago. And it is in fairly good condition right now. It's used for multiple purposes, both recreation and for intercollegiate athletics. The portion that is intercollegiate athletics, the volleyball courts are when the volleyball team is not there, it is used for recreation purposes at times. And I'm not aware of what all other spaces the volleyball team currently occupies in the Coliseum that would be freed up and made available. [BOND]

SENATOR CHRISTENSEN: So there's not a large potential gain there. It would be a minor one just when they're not practicing is what you're saying? [BOND]

MIKE WEMHOFF: Yeah. I don't have specific numbers, you know, on how often the volleyball team utilizes that space. [BOND]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR CHRISTENSEN: Thank you. [BOND]

SENATOR WIGHTMAN: Thank you, Senator Christensen. Now I think, Ms. Pfeil, you indicated that the figures you heard was 17 percent make use of this. And I think Chancellor... [BOND]

CARNA PFEIL: Yeah, 11 to 15... [BOND]

SENATOR WIGHTMAN: Eleven to 15. [BOND]

CARNA PFEIL: Yeah. [BOND]

SENATOR WIGHTMAN: And I think Chancellor Perlman was saying 42 percent, as I recall the figure. In the discussion, how big a part did this very limited number that you considered, 11 to 15, play in your decision? [BOND]

CARNA PFEIL: That was one of the strong issues that they looked at because they felt it was probably not appropriate for all students to pay for a facility that is used by a small number of the students. So it did play a part in that. [BOND]

SENATOR WIGHTMAN: And I know it would be conjecture on your part, but do you think the decision might have been different had you had a figure of 42 percent usage among students? [BOND]

CARNA PFEIL: I can say that even at 11 to 17 percent, it took three votes for us to get to a decision so. [BOND]

SENATOR WIGHTMAN: So it might well have made a difference if you would have known it was that high a percentage of usage. [BOND]

CARNA PFEIL: It's hard to say but, you know, that was a real issue in that they felt that not all students should be required to pay for them. [BOND]

SENATOR WIGHTMAN: Thank you. Senator Fischer, then Pahls. [BOND]

SENATOR FISCHER: Thank you, Mr. Chairman. Dr. Pfeil, could you tell us what the charge is for the Coordinating Commission for Postsecondary Education? What are your duties with regards to facility requests, if you could tell us briefly. [BOND]

CARNA PFEIL: On facilities for all of those that are funded by tax dollars we are to review those and approve or disapprove. If we disapprove those then they cannot go forward. That is not the case with revenue bonds. And revenue bonds we are to look at it and make a recommendation to you or to the Legislature on whether we would

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

recommend whether you approve or disapprove a project. You are the final say-so, the Legislature has the final say-so on those types of projects. [BOND]

SENATOR FISCHER: And for how many years has the Coordinating Commission been in existence? [BOND]

CARNA PFEIL: Nineteen and a half years. [BOND]

SENATOR FISCHER: And I believe that was Speaker Kristensen sponsored that bill that brought you into existence. Is that correct or not? [BOND]

CARNA PFEIL: I think it was Senator Warner. [BOND]

SENATOR FISCHER: Oh, Senator Warner? Okay, thank you. Can you tell me during those 19.5 years how often the commission has said no? [BOND]

CARNA PFEIL: We have...not very often. And part of that is because the institution has the right to withdraw a project. And we've had disagreements and we have said, we will probably recommend disapproval to our commissioners. And they then have the option of withdrawing that. We work out things and they come back and we come back and say, this is a better project. So we don't leave it at disapproving or approving. We try to come to some kind of agreement. [BOND]

SENATOR FISCHER: And with regards to facilities, the commission comes out with a statewide plan, facilities plan, is that correct? [BOND]

CARNA PFEIL: Correct. [BOND]

SENATOR FISCHER: And the public institutions in this state have input into that plan, is that correct? [BOND]

CARNA PFEIL: Yes, they do. [BOND]

SENATOR FISCHER: You listed on your evaluation sheet that this project does not demonstrate compliance with the comprehensive statewide plan. Is that right? [BOND]

CARNA PFEIL: Correct. [BOND]

MIKE WEMHOFF: Correct. [BOND]

SENATOR FISCHER: And it also does not, in your opinion, demonstrate compliance and consistency with the Statewide Facilities Plan. Is that correct? And when you were doing this evaluation sheet, when you were completing that for the commission, did the

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

university have input into this before you presented it to the commissioners? [BOND]

MIKE WEMHOFF: In this particular case we submitted the committee draft to the university since we are tied to a 60-day window. In this particular case it was only a few days before the commission meeting that the university received it. [BOND]

SENATOR FISCHER: If I recall correctly, the Coordinating Commission also has the up or down vote on programs that are offered by our public institutions. How many times are programs disapproved by the commission? [BOND]

CARNA PFEIL: Not very often. We have disapproved several, one being very controversial at University of Nebraska at Kearney. They wanted a philosophy...bachelor's degree in philosophy. At one point they resubmitted that and it was a better proposal. We do the same thing in that situation. We try to come to an agreement. We spend weeks going through that to try to come to some type of agreement. Mike is right, in revenue bonds we're only allowed 60 days. And so it makes it a very tight situation when you have disagreements. [BOND]

SENATOR FISCHER: Now, Dr. Pfeil, if I remember correctly the charge of the Coordinating Commission, one of the main charges is hopefully to have a wise spending of taxpayer dollars, so there is no duplication, whether in facilities or with academic programs across the state and within the institutions. Is that correct? [BOND]

CARNA PFEIL: Correct. [BOND]

SENATOR FISCHER: So I view your recommendation as being very serious because it doesn't happen often. You asked to give an opinion on if the commissioners would have voted differently if they would have been privy to the new figures that were presented to this Exec Board today. And I don't want to put you on the spot because commissioners are like, you know, herding cats, they're like state senators. But I am going to put you on the spot. (Laughter) Do you think that would have made a difference in the discussions knowing that 42 percent of the students do participate in this program versus the 11 to 15 percent number that was given to the commission? [BOND]

CARNA PFEIL: That's very difficult to answer because, you're right, our commissioners are independent. And so they have their own minds of what they think is important. They struggled with the fact that the students had voted and they felt that was important. They went back and forth. I think it would have led to more discussion. I... [BOND]

SENATOR FISCHER: Okay, that's good. Thank you. One of the other duties of your commission is scholarships for low-income students. And I know that there is deep concern about college loans and the availability of scholarships for those low-income

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

students. I'm going to ask you both your personal opinion, and that might get you in trouble but you can blame me. But I want to ask your personal opinion on how you think the increase in fees will affect those students? I have an article from The New York Times here that says the burden of college loans on graduates grow. [BOND]

CARNA PFEIL: That was one of the issues was that it would add to the cost of going to UNL. And they, as you know from being on the commission, they were very...they have always been concerned about cost and particularly for low-income, for those families who can't afford to send their students. And it's becoming more and more difficult. That article talks about it. We mentioned that in our write-up that it is becoming more and more difficult for the middle income family to send students to college. [BOND]

SENATOR FISCHER: Thank you. [BOND]

MIKE WEMHOFF: I would argue also that from a personal standpoint that access is the primary issue related to this and to future projects, I believe, that you look at with the university. Think 30 years ago, the cost of attendance at the university for four years was equal roughly to the median family income. Move forward to today, the cost of attendance at UNL, at roughly \$20,000 a year, cost of attendance being tuition, fees, books, room and board, miscellaneous cost of living, over a four-year period now approaches \$80,000, far exceeds the median family income of a Nebraskan. That is putting a major strain on those families unless they're receiving significant scholarships or taking out a high degree of debt. And those numbers are escalating at a quicker pace than income is rising. And that has been a continual event for the past 30 years. [BOND]

SENATOR FISCHER: Would you happen to know the percentage of students that graduate in four years from the University of Nebraska at Lincoln? [BOND]

CARNA PFEIL: In four years, I can't tell you right off the top of my head. We have that back at the office, but I... [BOND]

SENATOR FISCHER: Would you say it's fairly low? [BOND]

CARNA PFEIL: It is. [BOND]

SENATOR FISCHER: And it would be more students graduate after five or six years? [BOND]

CARNA PFEIL: But it is not typically lower than other... [BOND]

SENATOR FISCHER: ...than other institutions in this day and age, correct. [BOND]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

CARNA PFEIL: Right, right. All four-year institutions are...their four-year graduation rate just isn't very high. I think the university is about at the average. [BOND]

SENATOR FISCHER: Thank you very much. [BOND]

SENATOR WIGHTMAN: Thank you, Senator Fischer. Thank you, Dr. Pfeil and Mr. Wemhoff. Oh, wait, we have more. Senator Pahls. [BOND]

SENATOR PAHLS: Thank you. Either one of you can answer this. Again, this is...I'm concerned about the number of students who will leave the university or colleges, essentially the state of Nebraska, with unbelievable loans. I mean, I think that's just a fact of life, a lot of them are. And then as you just alluded to a number of them are taking more than four years. And having students at this age level so I get it. I understand we need to make the university a place where we want to attract people. But the thing that really struck me in this whole argument right now is the 11 to 15 percent as compared to the 40 percent, for me to make a vote on that, I need to have some clarification of the utilization of this...these facilities. [BOND]

MIKE WEMHOFF: Yeah, one of the things that I could pass down is that the university did provide us is a student survey on how frequently would they participate in the various activities. The number of daily visits, based on this survey, for the climbing wall would be about 87 students a day. Compare that to the free weight training, cardio, those are eight, nine times more frequently used than the climbing wall, the bouldering area, the court rental based on this student survey. I'd be glad to share that with you. [BOND]

SENATOR PAHLS: So you're telling me, do you still believe it's closer to the...it's 11 to 15 percent as opposed to the 40 percent? [BOND]

MIKE WEMHOFF: It's going to depend on how you count numbers. [BOND]

SENATOR PAHLS: I understand that, I've been involved in education, I get it. [BOND]

MIKE WEMHOFF: I don't doubt that, you know, there is 40 percent of the students that at some time during their four, five, six years at UNL will go in and sign up for a trip or something along that line or rent a piece of equipment. But on a daily ongoing basis the main areas of use of the rec center are the cardio equipment, the weight training, jogging, those types of areas. [BOND]

SENATOR PAHLS: Okay. So you're telling me if I look at the big picture 40 percent is a possibility. But if I look really at routine basis, it's probably significantly lower. [BOND]

MIKE WEMHOFF: Yes. [BOND]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR PAHLS: Okay. Thank you. [BOND]

SENATOR WIGHTMAN: Thank you, Senator Pahls. Senator Lathrop. [BOND]

SENATOR LATHROP: When the Coordinating Commission looked at this, did they look at what effect building these facilities would have on recruitment or did they simply look at the number of people in the existing student population that would actually use them on a daily basis? [BOND]

MIKE WEMHOFF: I have no doubt that this would aid in recruitment of out-of-state students. But the main issue I think that staff had, that commissioners had was what effect is this having on that median income family. This is a mandatory fee increase. This is just one of several increases that are being made. [BOND]

SENATOR LATHROP: Okay. And that...I appreciate that it is a consideration. It sounds like it was the only consideration. And if that is the only consideration, then in what...if that's the only consideration then should we stop building new facilities? Should we stop remodeling facilities? I mean everything the university does to try to improve itself... [BOND]

MIKE WEMHOFF: Not with state dollars. [BOND]

SENATOR LATHROP: Well, but this gets to the point, perhaps, and maybe the difference and that is, are we investing in something that will draw more students here and, as the Chancellor said, perhaps from out of state bringing in more tuition dollars? [BOND]

MIKE WEMHOFF: Yeah, we were looking at the burden on the student and their families. [BOND]

SENATOR LATHROP: But in...okay. If we get to the goal of the student population, which sounds like 30,000, if I heard them right, if we got to 30,000 would we get to a point where the burden or the pressure to increase tuition would be diminished because we had more students? [BOND]

MIKE WEMHOFF: I would question that. I would believe that there would be a dramatic need for additional facilities. Additional facilities cost not only to construct but to operate and maintain with those additional students. [BOND]

SENATOR LATHROP: Okay. I'm just trying to understand the basis for the decision. And perhaps we're getting into philosophy. So from your point of view, the Coordinating Commission, we're better off not growing because we'll run into greater expense.

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

[BOND]

MIKE WEMHOFF: No, that is not the... [BOND]

SENATOR LATHROP: Okay. [BOND]

MIKE WEMHOFF: ...I believe that the commission is saying. [BOND]

SENATOR LATHROP: Then you would agree that there should be a balancing. [BOND]

MIKE WEMHOFF: They believe that there's an issue with access. They didn't come up with the solution. But it needs...something that is close to a breaking point that needs to be addressed either through additional scholarships, reductions in costs. There are various solutions that can be made to address that need of...that issue of access. [BOND]

SENATOR LATHROP: I assume you have conversations with the Chancellor. But you don't just take these proposals, rule on them, hand them back. [BOND]

MIKE WEMHOFF: Commissioners do, yes. [BOND]

SENATOR LATHROP: Okay. I'm just a little puzzled by the philosophy, because it sounds like...I appreciate what you're trying to do for costs, I really do. I'm on my fourth daughter going to college, I understand. All right. I'm acutely aware of the cost of higher education. But if the only question is cost, and until the university reduces some costs, you're not going to be okay with expanding a program or expanding a facility. Then we're at some kind of a stalemate it sounds like. [BOND]

MIKE WEMHOFF: Or if additional dollars are made available to the university, that can assist in access. [BOND]

SENATOR LATHROP: Oh, that's...now you're talking about an appropriation from the Legislature? (Laughter) [BOND]

MIKE WEMHOFF: Well, there's various ways. There's private dollars that can be involved, there's state appropriations, there's reductions in costs, there's many different pieces to the puzzle that need to be looked at. [BOND]

SENATOR LATHROP: Okay. I think I've asked the questions I have for you. But thank you for coming here today and for... [BOND]

SENATOR WIGHTMAN: Thank you, Senator Lathrop. Senator Pahls. [BOND]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR PAHLS: Yes. Again, I just want to point out, having taught at a higher level, I understand, I get it. We need to make the university a place where people want to go. But I'm also speaking for people who are like me, we're not making those big, big bucks so you have to protect them a little bit when we send our kids to college, not for now, but for like ten years down the line when they're paying those loans off. You know, that's what I'm saying, when does it stop? Or is there another avenue of going at that? Again I'm still looking at the percentage of those people utilizing this facilities or this area. And once that is cleared up for me I probably will be more optimistic. But until then I have to say we need to take another look at this myself because those of you who have to pay the bills, some of those kids, 10, 20 years from now are going to be struggling. If you take a look at the economy it's going to...thank you. [BOND]

SENATOR WIGHTMAN: Thank you, Senator Pahls. Any other questions? Thank you very much, Dr. Pfeil and Mr. Wemhoff, for appearing here and answering our questions. Do we have any other testifiers? If not, I think rather than...and I know there's going to be some interest in having an Executive Session on discussion or at least I understand there is. I think we'll go ahead and cover all three items on the agenda and then come back and take the vote. I think we can do it within the allotted time more easily. So with that, you can stick around. We will be taking a vote, a public vote when we do take a vote. So after we've had all...you're, of course, welcome to stay here during the three hearings or meeting. [BOND]

SENATOR KARPSEK: I guess I would just ask why we don't just take a vote now and... [BOND]

SENATOR WIGHTMAN: Well, there's been some discussion apparently with regard to having Executive Session. I'm not totally sure that this is one of the types of items. It's not negotiations, it's not personnel. But... [BOND]

SENATOR KARPSEK: I guess my opinion would be that it be open session vote. [BOND]

SENATOR WIGHTMAN: Well, it would have to be an open session vote, there's no question about that. But we could have discussion perhaps outside of...and that's at least a question, too, I think. Yes, Senator. [BOND]

SENATOR FLOOD: Would the Chair entertain a motion at this time just to vote? Then we'll see where we're at, would that be acceptable? I mean, if you want to have Exec Session as the Chair, I'll respect that. My sense is that I feel like a majority of us here are ready just to act on this. [BOND]

SENATOR WIGHTMAN: If we're ready to act right now, I have no problem with that. [BOND]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR NELSON: I would prefer to talk about it among ourselves if just a bit, if not in Executive Session, just to have some informal discussion. And then a public vote would be fine. [BOND]

SENATOR WIGHTMAN: All right. [BOND]

SENATOR FLOOD: Mr. Chair, if I may. [BOND]

SENATOR WIGHTMAN: Yes. [BOND]

SENATOR FLOOD: If I made a motion and it was seconded, we could have a discussion about it. [BOND]

SENATOR WIGHTMAN: We could have a discussion, right. [BOND]

SENATOR LATHROP: I'll second his motion. [BOND]

SENATOR FLOOD: I'll make the motion to approve or to approve the Student Recreation Facilities Projects as identified by the University of Nebraska at Lincoln. [BOND]

SENATOR LATHROP: I'll second it. [BOND]

SENATOR WIGHTMAN: Okay. We have a motion by Speaker Flood, a second by Senator Lathrop to approve it as presented, which would be all three items on the presentation. So questions, I mean, discussion? Senator Flood. [BOND]

SENATOR FLOOD: Thank you, Chairman Wightman. I don't want to depreciate the role of the Coordinating Commission. And I did read their evaluation and I would note that it is on...that they object to one of the three projects, as has been discussed. And that's not to anybody's benefit I think to review that because they've done a good job of outlining where they're at. For me it comes down to the recognition, and I think Senator Lathrop has touched on this, that to be a world class university you've got to market yourself and offer amenities to potential students that aren't solely interested in just economics. That's obviously the long-term benefit to the state. And Chancellor Perlman has done the state a great service, in my opinion, by aligning the University of Nebraska-Lincoln with the Big 10 Conference. And I think if you took a poll of the citizens of this state they would say that's one of the most significant developments in the university's history in the last 50 years. And it is going to open up our university system to students from Ohio and Illinois and Indiana and Wisconsin. And that has the potential to grow our state more than anything else right now that we're doing as a Legislature. And I'm a believer in what Chancellor Perlman has done. I'm a strong

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

supporter of Innovation Campus. And I think we have to consider what we want this university to be to the state. And I really think it's truly one of the economic engines of Nebraska and it is going to benefit all of Nebraska. And while I may not be one to use the rec center nor did I ever visit it during my time in law school (laughter), I know that is of great interest to a lot of students. And 17-year-olds make decisions on things that we don't as 35-year-olds, and one of those things is a focus on physical fitness. And if the chancellor of the university says this is one of the key elements that he's identified that will benefit the University of Nebraska at Lincoln, given his track record, and I don't want to make this about Chancellor Perlman, but I really believe he has a lot of...he speaks with a lot of authority here. I think the Coordinating Commission was right to take a look at it. I carefully considered their recommendation. I feel strongly that this is in the best interest of the university in the long term. It will be in the best interest of our state. I'm not saying climbing wall equals success for Nebraska, but what I'm saying is if this is one of the elements that the chancellor believes is important, I believe it's something that should be taken into strong consideration by this board. And for that reason, I'm going to vote to approve the request per my motion. [BOND]

SENATOR WIGHTMAN: Thank you, Senator Flood. Senator Pahls. [BOND]

SENATOR PAHLS: Thank you. Again, accolades go to the chancellor. That's not the issue. It almost seems like that's what we're saying, if we don't do this we're against the University of Nebraska. Well, I'm not at all. I'm just saying is we ought...occasionally, we have to stop and take a look, why do we have this commission if we're not going to listen to some of their suggestions? And I can feel the direction that this is going. And to be honest with you, this is not a life or death thing for me. But what I'm going to do is, because having taught at the college level I get it also. I'm assuming since the Speaker is such a proponent of something like this that anytime the university brings something to our body and we're going to cut their budget we ought to think maybe more than just once. And I'm going to issue that challenge to the 49 of us who will be sitting here in the future, 49. To me this is really basically small, small potatoes. But at times we have the ability to do to the university is much more significant. So if we're going to stand up here and praise the man who should be praised, not at all denying that, then we ought to be...really, truly listen to this individual or the people who work for him when they come in front of the Legislature and says, I really need this or we need this for the state of Nebraska, because we need to be the showcase. You can't argue that, you can't argue that the University of Nebraska is a very powerful economic engine for the state of Nebraska. I mean, it's amazing what it does. For those of us who are graduates of it they may not at times appreciate...I value, I value. But I'm just saying this is small compared to some of the decisions that we make. And I hope that those of you who vote for this proposal will think that in the future when it says, oh, time to cut the university's...some of the things that they really, truly believe, some of their things they bring forth to us, some of the programs or some of the proposals, I think we've given a lot of strength to their future arguments myself. And again, I do thank the university,

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

what they are doing for the state of Nebraska. I'm just concerned about the students in the future, the number...it's those small things that do mount up. For some of those people in the future they will feel the pain of that. (Inaudible). [BOND]

SENATOR WIGHTMAN: Thank you, Senator Pahls. Senator Lathrop. [BOND]

SENATOR LATHROP: Just briefly, I want to endorse Senator Flood's remarks because I think he's exactly spot on, but maybe a different perspective. And that is, as I said, I'm on my fourth daughter going to do college tours right now. And I think I'm a veteran of probably 30 college visits at different universities and I've been all over the Midwest and some places on the West Coast. And I can tell you during a college visit they will have a student take a group of students around. And you will see one classroom, you will see one dorm. And then they're taking you off to the rec center to show you the new pool, and they're taking you off to the new student center, and they're taking you to the places that aren't the classrooms. And that's what is selling kids on coming to the university, it's the study abroad program, it's the rec center, it's the student center, it's what the cafeteria looks like and whether, you know, they're still throwing food on a tray or you get to pick your own stuff and order it or eat Subway and have your card punched. And those are the things that make a difference. And that's what they're trying to tell us, this affects recruitment. And if we can recruit and assist the university in its growth goals, I think we should. And I think that's what our opportunity is today. [BOND]

SENATOR WIGHTMAN: Thank you, Senator Lathrop. Anyone? Senator Langemeier. [BOND]

SENATOR LANGEMEIER: I'm going to make just one, brief comment. I can't remember the whole story. But my son is a sixth grader. He came home last Thursday night and he said, Dad, can I go to the University of Kearney to go to college? I thought, that's pretty neat that he's thinking about it. Well, he wants to go out there because they have some activity that he thinks is just the greatest thing and that's where he wants to go to college. And I wasn't listening quite as good as I should, I don't know what that activity was but... (Laughter) And for me, it wasn't the library, so (laughter) it must have been an activity out there. So that's got their attention. And I think as long as the rec center has cell phone reception so texting works in there, I think the easiest way to clear out a rec center is to put a jammer in there where their cell phones don't work. That would get them back to the classrooms maybe. So with that, I'm supportive. [BOND]

SENATOR WIGHTMAN: Thank you, Senator Langemeier. One other thing I'd like to point out, and I think it is important, that when the vote was taken, it was taken on all three pieces of this as a unit. And the student body voted on it, on that basis, the university has presented it on that basis. I think that...I don't think this means we're supporting necessarily or binding ourself in the future to support what Chancellor Perlman is saying as opposed to the Coordinating Commission. Certainly it might be a

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

consideration, as Senator Pahls has suggested. But it seems to me that there are a lot more considerations here than whether Chancellor Perlman is right or whether the Coordinating Commission is right. I think they've both considered valid points. But we've had this in its original presentation both at the Board of Regents and at the student body as a unit. And now to split them up I think really may very well destroy the entire program. And that's what Chancellor Perlman has suggested, I guess, that it probably would not go forward. So I just throw that out. Yes, Senator Pahls. [BOND]

SENATOR PAHLS: Clarification, you mean if we don't vote them as a package deal that's wrong? Is that what I heard you say? [BOND]

SENATOR WIGHTMAN: No, I don't say it's wrong. I just think that we may not do any of it if that's... [BOND]

SENATOR PAHLS: Oh. [BOND]

SENATOR WIGHTMAN: ...that's what I understood the chancellor was saying. [BOND]

SENATOR PAHLS: Okay. So in other words, if it's not a package deal,... [BOND]

SENATOR WIGHTMAN: That it wouldn't be done. [BOND]

SENATOR PAHLS: Really? I have a bridge. [BOND]

SENATOR WIGHTMAN: You have a what? [BOND]

SENATOR PAHLS: I have a bridge that I'm willing to sell. (Laughter) No, no, I'm just kidding. [BOND]

SENATOR WIGHTMAN: Could you identify the bridge? (Laughter) Senator Nelson. [BOND]

SENATOR NELSON: Thank you, Senator Wightman. I'm a strong advocate of the university. I'm a supporter of Harvey Perlman and most of the things he does. But I respect the work also of the Coordinating Commission and the in-depth look. In my mind, I think we ought to step back and perhaps take another look at it and see if there aren't some alternatives. Yes, it's great to attract prospective students from other states. And I don't know how many we're going to get if you've got a new building. But in my mind there should be a second look at how perhaps the expansion could take place without the necessity of spending \$4.8 million. So my inclination is to vote no. I really would not understand why the university would not go ahead with either renovating or replacing the facility out on the East Campus, which definitely needs it, at least do that much. So that's where I stand on this. Thank you, Mr. Chairman. [BOND]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR WIGHTMAN: Thank you, Senator Nelson. Any further discussion? If not, we'll proceed to a roll call vote. [BOND]

JESSICA SHELburn: Senator Wightman. [BOND]

SENATOR KARPisek: Can I ask what the vote is? [BOND]

SENATOR WIGHTMAN: The vote would be to take the unit as a whole as presented by the University of Nebraska or by chancellor... [BOND]

SENATOR KARPisek: To approve all three? [BOND]

SENATOR FLOOD: Yeah. [BOND]

SENATOR WIGHTMAN: Right, all three, all three items. [BOND]

SENATOR KARPisek: Thank you. [BOND]

SENATOR WIGHTMAN: Yes. [BOND]

JESSICA SHELburn: Senator Nelson. [BOND]

SENATOR NELSON: No. [BOND]

JESSICA SHELburn: Senator Christensen. [BOND]

SENATOR CHRISTENSEN: Yes. [BOND]

JESSICA SHELburn: Senator Fischer. [BOND]

SENATOR FISCHER: Yes. [BOND]

JESSICA SHELburn: Senator Flood. [BOND]

SENATOR FLOOD: Yes. [BOND]

JESSICA SHELburn: Senator Karpisek. [BOND]

SENATOR KARPisek: Yes. [BOND]

JESSICA SHELburn: Senator Langemeier. [BOND]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR LANGEMEIER: Yes. [BOND]

JESSICA SHELBURN: Senator Lathrop. [BOND]

SENATOR LATHROP: Yes. [BOND]

JESSICA SHELBURN: Senator Pahls. [BOND]

SENATOR PAHLS: Not voting. [BOND]

SENATOR WIGHTMAN: Motion carried. Thank you. We'll move on to the second item, a request from the Game and Parks Commission for approval of a gift of land. [BOND; GAME AND PARKS]

ROGER KUHN: Chairman Wightman, members of the committee, my name is Roger Kuhn, it's R-o-g-e-r K-u-h-n. I'm representing the Nebraska Game and Parks Commission today. Before you today is an opportunity to approve acquisition of a parcel of land or property adjacent to Platte River State Park in Cass County. This is a 23-acre parcel that is available. It currently has no improvements on the property--no facilities, no wells, no improvements whatsoever. It's a native or raw piece of property primarily oak forest. I'm very familiar with the property. I grew up in Cass County and am familiar with this particular property. I think the opportunity is such that we, and you heard a little bit from the university, the importance of outdoor recreation to people, society, etcetera. We have an opportunity to enhance an already very popular state park. As I said, this property is adjacent to Platte River State Park, receives hundreds of thousands of visitors a year. It will enhance an already good experience. We also, as an agency, as a commission, have really committed, we've always been committed, but a new commitment, let's say, to retention, development and recruitment of people to the outdoors. As society has moved forward, people have become more urbanized and so forth. And the opportunity for people, especially young people, but all people to get outdoors and enjoy outdoor recreational activities has been less. This particular property, as I said, is 23 acres. It was appraised for \$185,000. The money was approved. There was an estate that was offered to the commission. It was approved by this committee. We were here last time for that cash gift approval. So the money is in place to acquire this property. There's no General Fund dollars involved with the acquisition of this property. And like I say, it's a great opportunity. If this property is not acquired, it is very likely or high potential that it would be developed into a subdivision more than likely. Nearby there has been some development taking place, very nearby. That's why the appraisal is what it is. And like I say, this is a native oak forest. It's adjacent to an existing state park. It's sits along the Platte River. It's a beautiful piece of property that I think would be a shame if we did not take advantage of the opportunity before us. These pieces do not come up very often, and when they do fortunately we are in a position to move forward with this, with the approval of this committee. I might

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

show you real quickly, I think you all have a map in your packet. But I brought this along in case you didn't. It kind of shows you a good picture of how Platte River State Park lies along the Platte River in Cass County. The parcel we're looking at is over here in the pink. You can see in this yellow is currently owned by the Game and Parks Commission. This yellow piece, as you can see it's isolated somewhat from the rest of the park. We've had that property I think since the early 1980s. Also Louisville State lakes, that's right down here. You can see the yellow here, that's Louisville State lakes, another state property. This area along the Lower Platte River corridor, you know, it's 20 miles south of Omaha, it's about 30 miles from Lincoln, a highly used area. And outdoor recreational opportunities are limited as things become more and more developed. You can see right here, if you can see this, nearby that's development that has happened within the last five to ten years. And so you can see the pattern would be to move over into this area eventually. So like I said, it's a good opportunity to retain this in a native oak forest and provide outdoor recreational people or outdoor recreation opportunities to the people who visit there. So with that, I would try to answer any questions you may have. [GAME AND PARKS]

SENATOR WIGHTMAN: Thank you, Roger, for being here. Probably our agenda item is not quite stated right, it's a request from Game and Parks for approval of gift of land. You're not...this is not a gift of land? You've received...the gift is the money and you're using that to purchase. [GAME AND PARKS]

ROGER KUHN: Correct. Yeah. A portion of the money that was approved last time, which was through an estate, John Rames's estate left money to the Game and Parks Commission. You approved that cash gift. We want to utilize that cash gift along with other funds that was approved by the Legislature through the normal budget process for land acquisition. The legislative body has already approved that money for land acquisition. That money comes from our NORDA fund, the Nebraska Outdoor Recreational Development Act money, so. [GAME AND PARKS]

SENATOR WIGHTMAN: So all of the purchase of land, the price of the land would be covered by gifts, is that correct? [GAME AND PARKS]

ROGER KUHN: It would be covered by the Outdoor Recreational Development funds that this body approved during the normal budget cycle and the cash gift that was approved, a combination of both. [GAME AND PARKS]

SENATOR WIGHTMAN: Okay. Okay. And that...is it public record what the cost of the land is? Can you tell us what the cost is? [GAME AND PARKS]

ROGER KUHN: Um-hum, the 23 acres is appraised at \$185,000, that's what we're talking about. [GAME AND PARKS]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR WIGHTMAN: And that's what you're considering or negotiating as far as the price is \$185,000? [GAME AND PARKS]

ROGER KUHN: Yes, yes. [GAME AND PARKS]

SENATOR WIGHTMAN: Thank you. Any other questions? Yes, Senator Nelson. [GAME AND PARKS]

SENATOR NELSON: Thank you, Senator. Thank you, Roger. The 23 acres you're acquiring would be the acreage outlined in red on your chart there? [GAME AND PARKS]

ROGER KUHN: Yeah. It is the acreage to the east, the section to the east. It's on our property, I think on your map there it says Game and Parks Commission Foundation, if you see that, and the... [GAME AND PARKS]

SENATOR NELSON: Well, you talk about a north in your material, north-south piece and an east-west piece. [GAME AND PARKS]

ROGER KUHN: Yeah, the north-south piece is what we're talking about. [GAME AND PARKS]

SENATOR NELSON: That's what you're talking about. [GAME AND PARKS]

ROGER KUHN: Today, yes. [GAME AND PARKS]

SENATOR NELSON: So you've still got a parcel between, you've got this little area right here that you still don't own? [GAME AND PARKS]

ROGER KUHN: Yes, that's privately owned property. [GAME AND PARKS]

SENATOR NELSON: How do they get to that? [GAME AND PARKS]

ROGER KUHN: The history of that is the piece of property you're talking about, there in the yellow, is a piece, there's two yellow parcels. The piece that...the elongated piece that runs east-west, let me show it on...this might be easier, is owned by the Game and Parks Commission, the state of Nebraska currently owns this. This piece here is owned by a private individual. That individual is not interested in selling at this point. I've talked to him. He's owned that parcel since the late seventies. The commission acquired this parcel in the early eighties. I think at that time the hope was...these two guys are brothers, and they each have about 11 acres there. This one the commission bought because that brother wanted to sell it. I think the hope was this brother would probably follow suit. That was in the early eighties when we first acquired Platte River Park over

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

here. Platte River Park was two existing camps. It was a Harriet Harding Girl Scout Camp and an Esther K. Newman church camp. They went defunct. The state of Nebraska acquired it and developed a state park in the early 1980s. Since that time, this piece was acquired by the state or the commission probably in the early to mid-eighties. And then this piece was acquired about that same time. So, yeah, that's privately owned by an individual. [GAME AND PARKS]

SENATOR NELSON: But you've got kind of a reverse L outlined in red. [GAME AND PARKS]

ROGER KUHN: Yeah. This is the piece we're talking about today, this 23 acres. [GAME AND PARKS]

SENATOR NELSON: And the lower piece then, do you... [GAME AND PARKS]

ROGER KUHN: This lower piece, the reason we're not asking for approval at this point is because we do not have the money in place for that parcel. [GAME AND PARKS]

SENATOR NELSON: Okay. Thank you. [GAME AND PARKS]

SENATOR WIGHTMAN: Thank you, Senator Nelson. So the lower piece, is it for sale? You said that you don't have the money to buy it. [GAME AND PARKS]

ROGER KUHN: This piece here? [GAME AND PARKS]

SENATOR WIGHTMAN: Yeah. [GAME AND PARKS]

ROGER KUHN: Yeah, that's available for sale. However, the money that we're talking about, the Legislature approved money in our capital budget from the NORDA fund, which is for outdoor recreational development. It's been approved over the biennium. We're in the midst of a biennium. July 1 of '11 money is available for this parcel. July 1 of '12 the Legislature have approved in the biennium additional land acquisition money which we would acquire that at that point, so. [GAME AND PARKS]

SENATOR WIGHTMAN: Thank you. One other question: There was some reference to improvements I think. Are there any improvements, except just the woods, the trees? [GAME AND PARKS]

ROGER KUHN: No, there are no improvements. We've done an inspection of the property for environmental issues, all those things have been done. And there are absolutely no improvements whatsoever, no utility lines, wells, buildings, nothing. [GAME AND PARKS]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR WIGHTMAN: Thank you. Any other questions? Senator Christensen.
[GAME AND PARKS]

SENATOR CHRISTENSEN: You've got an outline here for trying to...acquisition of land. How much more are you guys trying...planning to get ahold of? [GAME AND PARKS]

ROGER KUHN: Well, the primary purpose of this parcel that we're looking at was to connect to an existing piece we already owned, that 11 acres which was not accessible. And so the individual that Senator Nelson referred to, obviously we'd be interested in that as it's somewhat of an end holding in there currently. But, yeah, for now that's what we're looking at. There is a parcel that sits right here. I've spoken with that landowner. They have some interest in selling, but have not committed to selling it. That would probably be the only other piece that...with Platte River Park that, as you can see, would make a lot of sense to connect those two. Currently, we have access through here with Burlington Northern Railroad. We have an easement to get through there on their corridor to connect here to here. I might point out we also...there's a dash line right here, on your map it's easier to see that white dash line, that is an access easement that does come from a county road from the other side. [GAME AND PARKS]

SENATOR CHRISTENSEN: Thank you. [GAME AND PARKS]

SENATOR WIGHTMAN: Thank you, Senator Christensen. Any other questions? If not, do we have a motion or...are there other testifiers? Senator. [GAME AND PARKS]

SENATOR FLOOD: I make a motion we approve the request. [GAME AND PARKS]

SENATOR KARPISEK: Second. [GAME AND PARKS]

SENATOR WIGHTMAN: Been moved by Senator Flood, seconded by Senator Karpisek that we approve the request to purchase the land with the gift that was previously approved. Roll call vote. [GAME AND PARKS]

JESSICA SHELBURN: Senator Nelson. [GAME AND PARKS]

SENATOR NELSON: Yes. [GAME AND PARKS]

JESSICA SHELBURN: Senator Christensen. [GAME AND PARKS]

SENATOR CHRISTENSEN: Yes. [GAME AND PARKS]

JESSICA SHELBURN: Senator Fischer. [GAME AND PARKS]

SENATOR FISCHER: Yes. [GAME AND PARKS]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

JESSICA SHELBURN: Senator Flood. [GAME AND PARKS]

SENATOR FLOOD: Yes. [GAME AND PARKS]

JESSICA SHELBURN: Senator Karpisek. [GAME AND PARKS]

SENATOR KARPISEK: Yes. [GAME AND PARKS]

JESSICA SHELBURN: Senator Langemeier. [GAME AND PARKS]

SENATOR LANGEMEIER: Yes. [GAME AND PARKS]

JESSICA SHELBURN: Senator Lathrop. [GAME AND PARKS]

SENATOR LATHROP: Yes. [GAME AND PARKS]

JESSICA SHELBURN: Senator Pahls. [GAME AND PARKS]

SENATOR PAHLS: Yes. [GAME AND PARKS]

JESSICA SHELBURN: Senator Wightman. [GAME AND PARKS]

SENATOR WIGHTMAN: Yes. Motion carried. Thank you. We'll go on to item number three, fill vacancies on the standing committees...standing and select committees created by Senator Pankonin's resignation. We had a letter, I think, didn't we, from Senator Langemeier that's in the book. Okay. And I think you walked it around, did you, to... [GAME AND PARKS; COMMITTEES]

JESSICA SHELBURN: No, it was not part of the packet that I delivered to your offices yesterday. But it is in your books. [COMMITTEES]

SENATOR WIGHTMAN: So it will be the last item in your book. Yeah, go ahead. [COMMITTEES]

SENATOR LANGEMEIER: I was contacted by Senator Wightman's office, as one of the senior members of our caucus, to ask what we should do about filling this position. As you can see in the letter, I sent out a letter to all my colleagues within the First Caucus, notifying them of the openings on these positions. And I asked them to respond back to me in letter form if anyone wanted to move. I received a letter back from Senator Karpisek indicating that he would if Senator Janssen wasn't. I got a letter back from Senator Janssen that said he would move to Revenue if Senator Schumacher did not want it. And then I've gotten a letter from Senator Schumacher that said he'd like to go

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

to Banking Committee, Banking, Commerce and Insurance Committee and he would like to go to Revenue. And so with that, you have in the letter, as you stated there, you have two people, you have Senator Schumacher and Senator Karpisek that would like to go to Revenue. And so based on seniority the recommendation was to allow Senator Karpisek to go to Revenue; Senator Schumacher to go to Banking, Commerce and Insurance; and then Mr. Lambert, new Senator Lambert would get the balance of the committees that are vacant. Now with that said, I think Senator Karpisek may have a change in his thought process. [COMMITTEES]

SENATOR KARPISEK: Well, I've talked to Senator Janssen and Senator Schumacher. And I'll be honest, it's been a mess. We're all trying to work together and try to figure out who wants to do what. I would like to ask if we could wait until tomorrow for all of us to sit down together and make out what we would like to do. I don't know if that is acceptable or not. [COMMITTEES]

PATRICK O'DONNELL: If I may, if you wait until tomorrow, you lose jurisdiction because the Legislature is in session. The Committee on Committees will then make the decision; the Exec Board will be taken out of it. So I just wanted you to know that. Once you go into session, the Committee on Committees would acquire jurisdiction. [COMMITTEES]

SENATOR WIGHTMAN: Senator Lathrop, did you have your hand up? [COMMITTEES]

SENATOR LATHROP: Can we do it later today? [COMMITTEES]

SENATOR WIGHTMAN: What? [COMMITTEES]

SENATOR LATHROP: Can we do it later today? [COMMITTEES]

SENATOR WIGHTMAN: Well, we're still...after 2:00 we probably cannot. [COMMITTEES]

SENATOR LATHROP: Okay, we'll be in session at 2:00 for about 15 minutes? [COMMITTEES]

SENATOR FLOOD: But once we're in session... [COMMITTEES]

SENATOR WIGHTMAN: Well, maybe up to an hour. [COMMITTEES]

SENATOR FISCHER: But once we're in session it goes to Committee on Committees. [COMMITTEES]

SENATOR WIGHTMAN: But it's not the fact...once the session starts, we're in special

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

session. And the authority of the Executive Committee is no longer there, because once the Legislature is in session, and that will continue throughout this session. Senator Langemeier. [COMMITTEES]

SENATOR LANGEMEIER: I do want to add one more thing. I got an e-mail from Senator Schumacher this morning stating that: Chris, I understand that Russ would like to move to Revenue, he has more seniority than I, and I'm okay with continuing to serve on Government Committee, whatever that's worth. [COMMITTEES]

SENATOR PAHLS: So then we only have two individuals then? [COMMITTEES]

SENATOR KARPISEK: Well, I have my letter to withdraw my move if we have to do it today, right now. That's what I will do is to pull my name out. [COMMITTEES]

SENATOR WIGHTMAN: On Revenue? [COMMITTEES]

SENATOR KARPISEK: Yes. And I will stay then, I assume that it would go seniority wise to Senator Janssen, who has deferred to Senator Schumacher, who said he would take it, but now he said he wouldn't because for me...the thing is a little bit complicated. [COMMITTEES]

SENATOR FLOOD: So Janssen wants to go then? [COMMITTEES]

SENATOR FISCHER: Well, we don't know though, because he deferred to Schumacher. Maybe he'd change his mind then. Who knows? [COMMITTEES]

SENATOR PAHLS: Can I ask a question? You do not want the position is what you're telling me? [COMMITTEES]

SENATOR KARPISEK: I would if Senator Schumacher was going to take it, I was going to take it, okay? But... [COMMITTEES]

SENATOR PAHLS: Do you want the position? It's that simple. [COMMITTEES]

SENATOR FISCHER: I'm thinking if you don't want it, Senator Schumacher will want it. [COMMITTEES]

SENATOR WIGHTMAN: Senator Lathrop. [COMMITTEES]

SENATOR LATHROP: It seems to me that there is not clarity on this issue. And we don't need to act because the alternative is the Committee on Committees will act. The Committee on Committees can act and take care of this in a couple of hours or in an hour and a half. It seems to me what we're hearing is I don't want it if somebody else

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

wants it. And if somebody else wants it, I'll defer. And what we have is a circle of people that's created uncertainty. And I would join Senator Karpisek in moving that we table this. If you want to meet again in an hour, I'll be back here, if you want to...and I'll come back. But there ought to be some clarity before we send somebody someplace that they don't want to go, in my opinion. [COMMITTEES]

SENATOR WIGHTMAN: Thank you, Senator Lathrop. Senator Nelson. [COMMITTEES]

SENATOR LATHROP: And two of the players aren't in the room, by the way. We can't just interrogate Senator Karpisek. [COMMITTEES]

SENATOR WIGHTMAN: Right. And, I guess, I would ask before...Senator Nelson. [COMMITTEES]

SENATOR NELSON: Well, you've made your recommendation, Senator Langemeier. And what those recommendations were based on was did you have the consent that you expressed above there as to what should happen here? [COMMITTEES]

SENATOR LANGEMEIER: Well, I do. I have the letters that originally came in. I don't care who sits there. I'm just trying to get something done. I guess, it would be my thought, if you don't want it, then it would go to Schumacher because he definitely did want it. But he was giving it to you based on seniority. [COMMITTEES]

SENATOR KARPISEK: We're all being a little bit too nice is the issue. But I found I usually catch more flies with sugar, not that I always use sugar. (Laughter) [COMMITTEES]

SENATOR WIGHTMAN: Just so that everybody is clear, I'll read from Rule 3, "During the interim, all vacancies on standing or select committees created by the death or resignation of a member shall be filled by a majority vote of all members of the Executive Committee." That isn't saying that we can't defer. But we apparently do have that authority to do that. I agree that there's some uncertainty with regard to people seeking those positions. Yes, Senator Pahls. [COMMITTEES]

SENATOR PAHLS: Russ, we're friends. And I'm not interrogating you. [COMMITTEES]

SENATOR KARPISEK: I know. [COMMITTEES]

SENATOR PAHLS: I'm trying to...if you really wanted it, just say. If you don't, then I...I mean... [COMMITTEES]

SENATOR KARPISEK: Here's the deal. If Senator Schumacher gets it then I just as...then I would go. [COMMITTEES]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR WIGHTMAN: You would prefer to... [COMMITTEES]

SENATOR KARPISEK: Go to Revenue. However, if Senator Schumacher doesn't and Janssen does, then... [COMMITTEES]

SENATOR NELSON: You'd stay with Government? [COMMITTEES]

SENATOR KARPISEK: Right. [COMMITTEES]

SENATOR NELSON: You don't move. [COMMITTEES]

SENATOR KARPISEK: Right. And Schumacher wouldn't move and Janssen would go. [COMMITTEES]

SENATOR FISCHER: But Janssen defers to Schumacher. [COMMITTEES]

SENATOR PAHLS: And Schumacher wants on Banking, so he's getting something. [COMMITTEES]

SENATOR KARPISEK: He is. I know it's a cluster, I apologize. (Laughter) I do apologize. I've been working on this, this week or last week. [COMMITTEES]

SENATOR WIGHTMAN: Senator Karpisek, just so that I understand. If we were to consider a vote in which we said you would be moved to Revenue, are you opposed to that at this point or...? [COMMITTEES]

SENATOR KARPISEK: I would probably put my letter in to withdraw my name from consideration. [COMMITTEES]

SENATOR FLOOD: So you don't want it? You're taking out. Okay, who wants it? [COMMITTEES]

SENATOR KARPISEK: Yeah, I'll put my letter in, I'm going to get out. [COMMITTEES]

SENATOR FISCHER: Well, according to this, Schumacher wants it and Janssen, and Janssen defers to Schumacher. So looks like Schumacher is Revenue then. [COMMITTEES]

SENATOR WIGHTMAN: Even...I want to be clear on what you want. [COMMITTEES]

SENATOR KARPISEK: That's fine with me, Senator Wightman. And I again, I realize... [COMMITTEES]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR FLOOD: So the record is clear, you don't want to be on Revenue at this point. Is that accurate? [COMMITTEES]

SENATOR KARPISEK: Yes. [COMMITTEES]

SENATOR FLOOD: Okay. So what's left? [COMMITTEES]

SENATOR KARPISEK: Well, I just want to say we go through a lot of this stuff. [COMMITTEES]

SENATOR PAHLS: Yeah, this is not unusual. But you're telling me though, that Schumacher and Janssen, and Janssen has said... [COMMITTEES]

SENATOR FISCHER: He defers to Schumacher. [COMMITTEES]

SENATOR KARPISEK: So I agree if...it is probably Senator Schumacher who can go to Revenue, I will stay on Government. Senator Janssen will stay on Government. [COMMITTEES]

SENATOR LATHROP: May I make a motion? [COMMITTEES]

SENATOR WIGHTMAN: Yeah. [COMMITTEES]

SENATOR LATHROP: I make a motion that we table this and let the Committee on Committees deal with it. The idea of...well, let's see if there's a second, then I'll be heard on it. [COMMITTEES]

SENATOR WIGHTMAN: Do we have a second? I don't see a second. So do we have any other motions? [COMMITTEES]

SENATOR LATHROP: I'll move we adjourn. (Laughter) [COMMITTEES]

SENATOR NELSON: Don't you want to now...I'll make a motion. I don't understand why Senator Karpisek wouldn't want to go on Revenue. But if he defers, then I say that... [COMMITTEES]

SENATOR KARPISEK: I'll just say I have some things working in Government right now. [COMMITTEES]

SENATOR NELSON: All right. [COMMITTEES]

SENATOR LATHROP: I have a motion to adjourn. [COMMITTEES]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR NELSON: Then I would move that Senator Schumacher go to...
[COMMITTEES]

SENATOR WIGHTMAN: Let's wait just a minute. I'm going to let Janice address this.
[COMMITTEES]

SENATOR NELSON: All right. [COMMITTEES]

JANICE SATRA: Did you make a motion? [COMMITTEES]

SENATOR FISCHER: Yes. [COMMITTEES]

JANICE SATRA: Do you have a second to adjourn? There's a motion to adjourn.
[COMMITTEES]

SENATOR WIGHTMAN: Okay. Go ahead. [COMMITTEES]

SENATOR NELSON: If I understand it, I would move that Senator Schumacher go to Revenue. Is that all that we need? And Banking, all right, those two committees.
[COMMITTEES]

SENATOR WIGHTMAN: And that Senator Janssen would not change any positions?
[COMMITTEES]

JANICE SATRA: No. [COMMITTEES]

SENATOR WIGHTMAN: Do we have a second to that motion? [COMMITTEES]

SENATOR FISCHER: Does your motion continue to Senator Lambert then to be on those other committees? [COMMITTEES]

SENATOR NELSON: Yes, if those are all open then as a result of this. That makes sense to me. [COMMITTEES]

SENATOR FISCHER: Okay. [COMMITTEES]

PATRICK O'DONNELL: And he goes to the committees that Schumacher is on.
[COMMITTEES]

SENATOR LANGEMEIER: Right, General Affairs, Urban... [COMMITTEES]

SENATOR FISCHER: General Affairs, Urban Affairs and Government,...

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

[COMMITTEES]

PATRICK O'DONNELL: Yeah, yeah, okay. [COMMITTEES]

SENATOR FISCHER: ...and also Retirement. [COMMITTEES]

PATRICK O'DONNELL: I believe that's right, yeah. [COMMITTEES]

JANICE SATRA: Yes, as outlined in his letter. [COMMITTEES]

SENATOR WIGHTMAN: Do we have a second to Senator Nelson's motion?
[COMMITTEES]

SENATOR LANGEMEIER: I'll second it. [COMMITTEES]

SENATOR WIGHTMAN: Okay, seconded by Senator Langemeier. Discussion?
[COMMITTEES]

SENATOR LATHROP: Yes. [COMMITTEES]

SENATOR WIGHTMAN: Yes. [COMMITTEES]

SENATOR LATHROP: I would...it occurs to me that the role of the Exec Board in filling vacancies and allowing the Exec Board to fill vacancies is intended to take care of the circumstance under which or during which the Legislature is not in session. And we will be there in an hour and a half. And it seems to me that we are as a board taking up something that ought to be done through the normal rules, given that we're only talking about an hour and a half. And I think using the Exec Board to perform a function of the Committee on Committees makes sense when we're not in session. But, given that we'll be in session today, we should not take action. We should vote against the motion made by Senator Nelson for that reason and for the additional reason that there is confusion in, as I listen to this, with whether we're sending Schumacher someplace he doesn't want to be. Okay? It's...we have three people saying, I'll defer to somebody and I'll defer to somebody. And rather than getting clarity on that, we are going to march forward when we could wait an hour and a half and let the system that's set up in the rules take care of it. [COMMITTEES]

SENATOR WIGHTMAN: We have a motion and a second on the floor. Senator Fischer.
[COMMITTEES]

SENATOR FISCHER: Senator Wightman, I'm just curious. Did we hear from Senator Hansen, as Chair of Committee on Committees, or any members of Committee on Committees when they saw our agenda? [COMMITTEES]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR WIGHTMAN: I don't think we've heard or solicited his... [COMMITTEES]

SENATOR FISCHER: Okay. Thanks. [COMMITTEES]

SENATOR WIGHTMAN: Senator Flood. [COMMITTEES]

SENATOR FLOOD: I guess, Senator Langemeier, have you consulted with...who are the other members of the First Caucus committee? [COMMITTEES]

SENATOR LANGEMEIER: Committee on Committees? [COMMITTEES]

SENATOR FLOOD: Committee on Committees, yeah. [COMMITTEES]

SENATOR LANGEMEIER: Senator Adams and Senator Conrad and we have. [COMMITTEES]

SENATOR FLOOD: And should have on Senator Pankonin's vacancy? [COMMITTEES]

SENATOR LANGEMEIER: On Senator Pankonin's vacancy. And we are going to meet, hopefully, tomorrow as the First Caucus, because that requires a whole caucus vote to fill that Committee on Committee's position as Senator Pankonin has left. So we will be getting together to have a vote. And I do have a letter that Kathy Campbell is going to run for that position, but I assume others will too. That's a nomination on the floor kind of a thing. [COMMITTEES]

SENATOR WIGHTMAN: That's Committee on Committees that you're talking about. [COMMITTEES]

SENATOR LANGEMEIER: That's Committee on Committees' vacancy. And then just for the record, we started all of this long before we knew we were going into special session. So we didn't...we didn't start this to try and hurry up and get it done before 2:00. I got this amongst pipeline stuff a couple weeks ago. [COMMITTEES]

SENATOR FLOOD: Well, it occurs to me there's...you know, the consideration that Senator Lathrop has talked about. There is the issue of going into session at 2:00. In the past, I have rejected this idea that...I have not enjoyed being a member of Exec Board having to deal with these issues because we have an entire committee to do that. But that's the way the rules have been for a long time. And that's the way we've done it since I've been here. And in the past I've said, well, there's the Committee on Committees. What's its purpose? Well, the purpose is for the interim. The practice of the Committee on Committees has been to respect whatever the majority prevailing view is on the Committee on Committees. That's how I recall filling vacancies and setting up the

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

Legislature's process. In this case, they've been consulted. And I, you know, what does Senator Adams think? [COMMITTEES]

SENATOR LANGEMEIER: Senator Adams was in support of this. Senator Conrad has some concerns that we don't just use seniority, we should use something else. She wants Senator Schumacher in that Revenue spot and wanted to go on first choice, not first choice. So... [COMMITTEES]

SENATOR FLOOD: She wanted Senator Schumacher in the Revenue?
[COMMITTEES]

SENATOR LANGEMEIER: And Senator Karpisek has had conversations with her too. Would that not be a correct statement? [COMMITTEES]

SENATOR KARPISEK: That is correct. [COMMITTEES]

SENATOR LATHROP: Wait a minute. Your representation is that Conrad wants Schumacher to go to Revenue? [COMMITTEES]

SENATOR LANGEMEIER: That's the conversation I had. [COMMITTEES]

SENATOR LATHROP: Because I've talked to her, and that's not her...that's not what she's telling me. [COMMITTEES]

SENATOR LANGEMEIER: That's...and so her last e-mail, I don't really care if this goes to Committee on Committees or we do it here. I just need it off my plate to do other things. [COMMITTEES]

SENATOR WIGHTMAN: Well, unless there's a withdrawal of the motion, I think we have to vote on the motion that is presently before the committee. Yes, Senator Nelson.
[COMMITTEES]

SENATOR NELSON: Mr. Chairman, we're still in the interim. We have our rule. I mean, we have the authority to go ahead with this. I think if we defer to the Committee on Committees it's just going to be another state of mass confusion for any decision. And I think if Senator Karpisek has expressed his desire on this, I think we should go ahead with my motion and just take care of it right now and be done with it. [COMMITTEES]

SENATOR WIGHTMAN: Thank you. Senator Lathrop. [COMMITTEES]

SENATOR LATHROP: I don't think Committee on Committees is set up to create mass confusion nor lead to mass confusion. We are going to be in session in an hour and 15 minutes. And my feeling is, I appreciate the work that Senator Langemeier has done.

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

But if the representation is that Senator Conrad is okay with this move, I can tell you she's not. And I've talked to her, I've talked to her. [COMMITTEES]

SENATOR LANGEMEIER: She has got concerns about a process on seniority and first choice, second choice. Yes, we've had a lot of conversations on that. [COMMITTEES]

SENATOR LATHROP: But don't you think that should start in the caucus, go to the Committee on Committees and do the normal process, which is the preferred process? And we're going to be in session in an hour and 15 minutes. [COMMITTEES]

SENATOR PAHLS: But if you're going to go to that, even our own caucus it is so predetermined because they say in the past...and I even have tried to get changes made, well, this is the way it's been is because whoever happens to be in control of the caucus, that's who gets on the Committee on Committees. Come on, guys, let's get real here. [COMMITTEES]

SENATOR WIGHTMAN: Senator Karpisek. [COMMITTEES]

SENATOR KARPISEK: I think your caucus works much different than ours. [COMMITTEES]

SENATOR PAHLS: Yeah, it does. [COMMITTEES]

SENATOR KARPISEK: Yeah. Now look, again, I'm sorry to create the confusion. I put my letter in as not to cause anymore confusion. I'd rather not do that. I'd rather wait until Committee on Committees. I'd rather just wait and talk to Senator Schumacher and Senator Janssen. Again, if that's not what we want to do,... [COMMITTEES]

SENATOR PAHLS: Can we be up-front? Is it because you don't want Schumacher on that committee? Is that the reason? [COMMITTEES]

SENATOR KARPISEK: No, that is not the reason. [COMMITTEES]

SENATOR PAHLS: Because let's talk about Banking. (Laugh) [COMMITTEES]

SENATOR KARPISEK: Well,... [COMMITTEES]

SENATOR WIGHTMAN: I think we need to take a vote unless there's more... [COMMITTEES]

SENATOR NELSON: I'll call the question. [COMMITTEES]

SENATOR WIGHTMAN: What? [COMMITTEES]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR NELSON: Call the question. [COMMITTEES]

SENATOR WIGHTMAN: Okay. We'll do a roll call vote. [COMMITTEES]

SENATOR FLOOD: And what's the issue here? We're voting on the... [COMMITTEES]

SENATOR WIGHTMAN: On whether...we've proposed the committee assignments as an Executive Committee through Senator Nelson's motion. [COMMITTEES]

SENATOR FLOOD: Can I just say something before we go to the vote?
[COMMITTEES]

SENATOR WIGHTMAN: Sure. [COMMITTEES]

SENATOR FLOOD: This is not going to benefit us starting a special session at 2:00.
[COMMITTEES]

SENATOR LATHROP: No, it's not. [COMMITTEES]

SENATOR FLOOD: And I'm just looking at, we've got indecision, we've got this, and we've got that. I'm going to vote no on this plan and let the Committee on Committees deal with it just because I see, you know. I don't know what Senator Conrad thinks. And one of the things I care about is what the caucus thinks. And I forgot about the fact that Senator Pankonin is not on there,... [COMMITTEES]

SENATOR LANGEMEIER: Right. [COMMITTEES]

SENATOR FLOOD: ...which factors into my calculation, if we have traditionally respected what those caucuses want. And I don't want people mad, telling the third who's going to go where because our Committee on Committees on the third has worked very effectively I think to get...to do right by our members and the Legislature. Senator Fischer and I have sat on that for several years. So I'm to the point where I'm disappointed with the way the process has been handled, not a personal indictment against anybody but people doing this business about I defer here and...I don't care who defers. You know, let's just figure it out. This is small chips in the big picture. And I guess I'm not going to vote to do anything today. [COMMITTEES]

SENATOR WIGHTMAN: Senator Fischer. [COMMITTEES]

SENATOR FISCHER: Thank you, Senator Wightman. I would like to thank Senator Langemeier for doing his job as the senior member of the caucus. And obviously, he sent a letter out and got responses from everyone in that caucus. And I don't know

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

what's going on right now, but obviously there's something behind the scenes that's happening. And I'm not real happy with that. But that's the way it works. But I do thank Senator Langemeier for sending out his letter, asking his caucus members where they wanted to be with regards to Senator Pankonin's resignation and vacancies. And since we're not being forthcoming here on the real motives behind all this, I think that's a disservice to the Exec Board and our Chairman who put out an agenda saying that we were going to do this. [COMMITTEES]

SENATOR FLOOD: I want to clarify for the record, I think Senator Langemeier has done everything he possibly can to be responsive. You know, when you get this defer business back and forth and it's a three-way pinball tie, I mean, I don't know how you write that down any more clear than he's done here. I appreciate where Senator Langemeier is coming from. I'm just saying when I don't have the facts and I've got one senator that's on the Committee on Committees that has represented one thing to two members and another thing to a third, I guess, and we're going to go into session at 2:00. If it were up to me, when we do the rules, get the Exec Board out of the business of doing this altogether. You've got an entire committee to handle it, the Committee on Committees. And there's no reason they can't come to Lincoln after a senator resigns to deal with it. And I feel strongly about that and have for a couple of years. [COMMITTEES]

SENATOR LANGEMEIER: I withdraw my second. [COMMITTEES]

SENATOR WIGHTMAN: What? [COMMITTEES]

SENATOR LANGEMEIER: I'll withdraw my second to his motion. [COMMITTEES]

SENATOR WIGHTMAN: Well, I think he's got to withdraw his motion probably first before you can withdraw your second. [COMMITTEES]

SENATOR NELSON: I thought I called the question and we aren't supposed to have discussion. (Laughter) [COMMITTEES]

SENATOR WIGHTMAN: Yeah, and we aren't...really. [COMMITTEES]

SENATOR KARPISEK: I don't think you can call the question in Exec. [COMMITTEES]

SENATOR LATHROP: Wait a minute. As a point of order, may he withdraw his second? I think he has the right to withdraw his second before the vote. [COMMITTEES]

SENATOR CHRISTENSEN: The question was called. [COMMITTEES]

PATRICK O'DONNELL: Are you asking me? I'm sorry, Senator. Ask me again.

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

[COMMITTEES]

SENATOR LATHROP: May Langemeier withdraw his second before a vote?
[COMMITTEES]

PATRICK O'DONNELL: Because we don't use seconds on the floor, it's kind of the providence of the committee as to how they operate. If this committee, it seems to me that this committee has used seconds. I think he's entitled to withdraw his second if that's what he chooses to do. [COMMITTEES]

SENATOR WIGHTMAN: It seems to me though that Senator Nelson moved to call the question and, you know, we were probably out of line taking any further discussion after that time. [COMMITTEES]

SENATOR PAHLS: I think I've had my hand up a long time. [COMMITTEES]

SENATOR WIGHTMAN: Yeah, I know you have. [COMMITTEES]

SENATOR PAHLS: The point I'm trying to make, you know what, I really don't care. I thought this man wanted it, that's why I was being insistent on it. If that guy doesn't want it and there's some confusion, I have a problem with what you're proposing or what the Speaker is. My initial...was to give it to you. (Laugh) So you don't want it, so I'm saying... [COMMITTEES]

SENATOR WIGHTMAN: I think we need to proceed with the vote since the question was called before there was any motion to withdraw or any action to withdraw the second, so. [COMMITTEES]

SENATOR KARPISEK: Can you call the question in the... [COMMITTEES]

SENATOR FLOOD: Who cares. Let's vote. [COMMITTEES]

SENATOR PAHLS: Yeah, let's just... [COMMITTEES]

SENATOR LANGEMEIER: Vote no and move on. [COMMITTEES]

SENATOR WIGHTMAN: Go ahead, call the roll. [COMMITTEES]

JESSICA SHELBURN: Senator Christensen. [COMMITTEES]

SENATOR CHRISTENSEN: Not voting. [COMMITTEES]

JESSICA SHELBURN: Senator Fischer. [COMMITTEES]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board
November 01, 2011

SENATOR FISCHER: No. [COMMITTEES]

JESSICA SHELBURN: Senator Flood. [COMMITTEES]

SENATOR FLOOD: No. [COMMITTEES]

JESSICA SHELBURN: Senator Karpisek. [COMMITTEES]

SENATOR KARPISEK: No. [COMMITTEES]

JESSICA SHELBURN: Senator Langemeier. [COMMITTEES]

SENATOR LANGEMEIER: No. [COMMITTEES]

JESSICA SHELBURN: Senator Lathrop. [COMMITTEES]

SENATOR LATHROP: No. [COMMITTEES]

JESSICA SHELBURN: Senator Pahls. [COMMITTEES]

SENATOR PAHLS: No. [COMMITTEES]

JESSICA SHELBURN: Senator Wightman. [COMMITTEES]

SENATOR WIGHTMAN: Yes. [COMMITTEES]

JESSICA SHELBURN: Senator Nelson. [COMMITTEES]

SENATOR NELSON: Yes. [COMMITTEES]

SENATOR WIGHTMAN: Motion fails. [COMMITTEES]

SENATOR KARPISEK: I do apologize. We will get it straightened out between the three of us and... [COMMITTEES]

SENATOR WIGHTMAN: We will be adjourned. [COMMITTEES]