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Executive Board of the Legislative Council
February 12, 2009

[LB505 LR1CA LR5CA]

The Executive Board of the Legislative Council met at 12:00 p.m. on Thursday, February 12, 2009, in Room 2102 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LR1CA, LR5CA, and LB505. Senators present: John Wightman, Chairperson; John Nelson, Vice Chairperson; Mark Christensen; Deb Fischer; Mike Flood; Russ Karpisek; Chris Langemeier; Rich Pahls; and Lavon Heidemann. Senators absent: Tom White. []

SENATOR WIGHTMAN: Good afternoon and welcome to the public hearing of the Executive Board of the Legislative Council. I would like to introduce the members of the Executive Board and the board staff and then briefly explain the procedure that we will follow this afternoon. First, to my right is Janice Satra, legal counsel of the board; to his right is Senator John Nelson from Omaha, who is also Vice Chairman of the board; to Senator Nelson's right would be Senator Karpisek, but he will join us, I think, later; next to him is Speaker Mike Flood from Norfolk; and to his right is Senator Mark Christensen from Imperial; Senator Lavon Heidemann may be joining us later, he's from Elk Creek; I am Senator John Wightman from Lexington; to my left is Jessica Shelburn, clerk of our committee; to her left is Senator Chris Langemeier from Schuyler; to Senator Langemeier's left is Senator Rich Pahls from Omaha; and to Senator Pahls's left is Senator Deb Fischer from Valentine; and Senator White is absent and will be absent from our hearing today. We will first hear...we will start with LR1CA. We will first hear testimony from the introducer of the resolution followed by those in favor of it. And then testimony in opposition, and finally, we'll hear from those who have neutral testimony, if any. We welcome anyone to testify but ask that you not be repetitive and that you try to keep your testimony to three minutes. Sign-in sheets are available at the testifiers table. Please fill the form out completely before you come up and hand it to the page before you begin your testimony. This will help us provide the transcribers an accurate record. When you testify, please state your name and spell it for the record. If you plan to testify, please come up to the front row to allow for a smooth transition between testifiers. There is also a form available for those of you who may wish to support or oppose a bill but who do not want to testify. This form will become part of the official record and can also be found at the testifiers table. If you have printed materials, please give them to a page so they can be distributed to members of the board. We need 15 copies of any material, so if you do not have enough copies, the page will be willing to make additional copies for you. Finally, I would ask that you turn off your cell phones or put them on silent or vibrate. The first resolution that we will hear today is LR1CA. We can...could we have a show of hands on how many who would plan to testify for, in favor of LR1CA? I see only one. Do we have people who will testify opposed? I see one. And anybody in a neutral position? With that, Senator Friend, you can open. []

SENATOR FRIEND: (Exhibit 1) Thank you, Chairman Wightman, and members of the Executive Board. For the record my name is Mike Friend, F-r-i-e-n-d, and I represent

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the 10th Legislative District in northwest Omaha, and I'm here to introduce LR1CA. LR1CA amends Article II, or excuse me, Article III, Section 10, of the Constitution of Nebraska to reduce the maximum number of days for regular legislative sessions to 60 legislative days in odd-numbered years and 40 legislative days in even-numbered years. In 1970 Nebraska voters established the maximum number of days for regular legislative sessions as 90 days in odd-numbered years and 60 legislative days in even-numbered years. For over 100 years, even dating back to the days of Nebraska's territorial Legislature, the Legislature convened only every other year up until that time, up until 1970. The pages passed out...I wanted to draw your attention to the buff colored handouts, notwithstanding the Governor's ability to call a, call the Legislature into a special session. We as a body reserve the right to call ourselves into a special session anytime when needed. Nebraska Revised Statutes 50-125 states that when ten or more members of the body file a petition with the Secretary of State, two-thirds of the members agree, the Legislature convenes a special session. Also, during a legislative session, if the body is unable to complete its work, Article III, Section 10 of the Constitution, allows for a session to be extended with the super majority vote of the members. Nothing in LR1CA changes either of these existing provisions. After seven years in the Legislature and coming to appreciate our manner of conducting business, I firmly believe that serving 150 legislative days over a biennium in our part-time Legislature is a bit excessive. I distributed a handout with a graphic of the United States showing the number of state Legislatures across the country that meet fewer than 150 days over a biennium. The eight states with full-time or year-round Legislatures are shown in black, places like Illinois, Wisconsin, Michigan, Ohio, and others. I didn't want to confuse those with the other ones, the part-time Legislatures. Twenty states currently meet fewer days than Nebraska. Wyoming and Alabama actually accomplished their work in 60 legislative days over a biennium. Virginia, a state with four and a half times Nebraska's population, meets 60 fewer days than Nebraska. Historically, if you look at the number of times you see the same issue come before you as a legislator, a reduction in legislative days is fairly reasonable, I believe. I've seen the gambling issue, for example, four times in the past seven sessions. I believe a reduction in the legislative days will bring forward a more meaningful, will bring forward more meaningful bills, could anyway, and allow members to narrow the focus of their legislation. With longer interims and the ability for us and our staff to investigate and research potential bills and their impact on stakeholders, I believe the end result will give us better legislation introduced. While the Legislature is a coequal branch of government alongside the executive and judicial branches, members of the other legislative branches can devote...or, excuse me, the other branches can devote 100 percent of their attention to their respective jobs since they're full-time positions. We, on the other hand, as you all know, are public servants who serve in part-time positions in a citizen Legislature. Serving 150 days keeps us away from a ranch, keeps us away from a law firm, our communities, the people we represent, businesses and families and more than necessary, I believe, that's the case. If you note on the chart that I passed out, Texas, a state with 13 times our population, meets once every two years and for ten fewer days.

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There is a fiscal impact that would actually benefit, you know, taxpayers in the state. Conversations that I've had with the legislative fiscal office, or my staff has, and the accounting office, cost savings could be estimated reducing the number of legislative days by one-third could possibly save us anywhere between \$300,000 and \$400,000. I hope this is just a starting point in the discussion. You all probably have ideas of what might look better as far as numbers are concerned. Be happy to entertain those type of things. With that, there are a lot of things that I passed out. I'm not going to belabor it. Be happy to answer any questions on LR1CA. [LR1CA]

SENATOR WIGHTMAN: Thank you, Senator Friend. Anyone have any questions for Senator Friend? Senator Heidemann. [LR1CA]

SENATOR HEIDEMANN: Just out of curiosity...not that I have a problem with this and sometimes I agree a little bit here, but I would be curious about how they do it budget wise in other states. We in Appropriations seem to be pushed to the limit to get things done on time. And if you shorten up the period of time that we have to do that, I think you could put a stress on our process. Have you looked into how other states handle the budgeting process? [LR1CA]

SENATOR FRIEND: The answer is no. I...and I don't know that I have a good answer for you, Senator Heidemann. I think that it could drive some efficiencies, and I'm not saying you're not efficient and I'm not saying the Appropriations, the budget process, isn't efficient here, but it could force us into a...out of a possible comfort zone that I feel. We know we have X amount of time, correct? So, you know, I think that we would have to change the way we do some business. But in fairness, I know we haven't studied much of that. And I think that that's a good question. I think that it would probably be valuable if I could provide you some information on that and I'd be happy to do so. [LR1CA]

SENATOR HEIDEMANN: Thank you. [LR1CA]

SENATOR FRIEND: Sure. [LR1CA]

SENATOR WIGHTMAN: I might add that Senator Karpisek has joined us since we originally opened the hearing. Any other...Senator Friend, I have a question. Have you done any study on how often some of these other states that have shorter biennial sessions, and maybe only one a year, how often they have special sessions in comparison to Nebraska? [LR1CA]

SENATOR FRIEND: Yeah, I wouldn't say I've done a study on it, but I actually got a chance last night to look at...they operate in the same manner that we do. I mean, if they end up with a budget or a fiscal crisis, their crisis situation, I don't think that any of these states, it didn't seem to be based on my research, it didn't seem to me to be like

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something that they would meet two times because they couldn't get their work done. And that's just anecdotal on my part, just the information that I tried to track down. They operate on an emergency, you know, basis kind of like we do. They're not just going to call one because they figured they couldn't get their work done in that particular session, I guess that's what I'm saying. That was my...that's my opinion. [LR1CA]

SENATOR WIGHTMAN: It seems to me, budgeting might be more of a problem, particularly for those states that only meet once in two years. But... [LR1CA]

SENATOR FRIEND: I think that their budgeting process may be the most major part of their session and other items are pushed aside in order to accommodate. [LR1CA]

SENATOR WIGHTMAN: Thank you. Anyone else with any questions? If not, thank you. We do have...no we don't have any letters on this. They're on the next legislative resolutions, so. Next testifier in favor. [LR1CA]

RON SEDLACEK: Chairman Wightman, and members of the Legislature's Executive Board, for the record, my name is Ron Sedlacek. That's spelled S-e-d-l-a-c-e-k. I'm here today on behalf of the Nebraska Chamber of Commerce in support of both LR1 and I'll just prefile this, LR5, because we kind of look at the issues together. And we will come up for LR5 also to be present to win, so to speak. And what I'd like to do is just discuss with you briefly our reasons for support of Senator Friend's resolutions. And then also possibly to answer a couple of the questions that have been fielded at least from our research or our point of view. It's been a long-standing policy with Nebraska Chamber of Commerce, and I want to combine this testimony a bit in context. And that has been, we have been opposed to term limits per se. And when this particular bill, or this resolution LR1 and LR5 were introduced, our board of directors met last week, reconsidered them, and voted again, once again to support these concepts. We've been against term limits as an organization, so in a sense you would say, well, isn't LR5 inconsistent with your policy because it still proposes term limits. But we look at it somewhat positively in the sense that it extends the term limits to what we believe is at least a more reasonable length of time, which would be three terms as proposed in LR5. In conjunction with LR1, the question becomes, why would we take a position on legislative days? I can tell you, our policy position isn't based on trying to tie the hands of the Legislature, getting you out of town sooner or anything like that. But rather, it always has been a policy in which we would like to expand and encourage the pool of eligible candidates to serve the citizens of Nebraska. So often, and we all know this, how hard it is to be a legislator and to keep a full-time job or to keep a business in operation or if you have the luxury of retirement, that you're able to serve the constituents of your district. But generally speaking, these are unique circumstances that everyone has to weigh prior to becoming a candidate for the Legislature. Can I devote that amount of time required, and still maintain a livelihood, maintain a family? We believe that this would be a step in the right direction, it would give some incentive, and would expand the pool of workers in urban

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areas, let's say, or any other area as far as that goes. But it would also allow for other business people to, to perhaps, consider running for the Legislature. Of course, when they find out how much time you really do spend as opposed to the number of legislative days, that's another eye opener. But at any rate, that is the purpose of our policy. In order to address a couple questions in regard to how other states handle it and we could try to get you a little more concrete information. I did not bring that forward. There are some states where they utilize a, let's say, a short session, or they may have the same number of days in their biennium. But they will devote one session more exclusively to budgetary issues than general legislation. And that's to answer your question, Senator, how they accomplish the budget process and alleviate pressure in that regard. A lot of other states provide for pre-filing of bills. This would, perhaps, be something to consider in which and after the election, perhaps there would be a time period between then and when the Legislature meets where bills could be introduced. The printing process, the publications, and the preparation could be accomplished prior to the Legislature meeting again, alleviating those first ten days of pressure that we all experience. This gives a better opportunity also, and I think it would be positive public policy where people would have a little more time to respond and to give their input on legislation to senators. There's good and bad to that but I mean, certainly, I think the opportunity of greater public input might be accomplished in that regard because there would be more time for preparation, and you would get, perhaps, more quality information in order to make decisions. Meetings could, you know, meetings can be held and many things can be ironed out and not be pressured with morning sessions and public hearings in the afternoons and so forth. But that's just a thought to consider. I'm not advocating this, but also some Legislatures particularly those that meet...well, almost all Legislatures really when it comes down to it don't provide for public hearings for all bills. And certainly that alleviates some of the workload. I'm not advocating that but that's just in answer to the question as to how some states handle the workload. In conjunction with this particular bill and the three term proposal, if you will note...I thought it was kind of interesting. Currently, of course, we have the 90 and 60 day session arrangement and you multiply that out for a maximum term which would...of eight years, so four biennium that equals the meeting time of 600 legislative days. And I notice if you take a look at Senator Friend's proposal, it goes to 60 and 40. And if you take 60 and 40 in conjunction with three terms, you've got 100, then times those six biennium...or bienniums, you come out with the same legislative days. So in essence, the Legislature is meeting for the same period publicly for three, over three terms, as opposed to two terms. I'm just kind of...it's kind of interesting in that sense and possible...possibly to think about if this were to be seriously considered and brought to the public for a vote. And with that, I'll conclude my testimony and entertain any questions. [LR1CA]

SENATOR WIGHTMAN: Thank you, Mr. Sedlacek. Do we have questions for Mr. Sedlacek? Senator Pahls. [LR1CA]

SENATOR PAHLS: I just have one. I have been impressed with the quality of the new

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senators myself. I mean, the idea that we need to have more, I've truly been impressed with the quality of people who have been just recently elected. That's all I need to say. [LR1CA]

RON SEDLACEK: I think we all have. [LR1CA]

SENATOR WIGHTMAN: Anyone else have a question? Senator Fischer. [LR1CA]

SENATOR FISCHER: Senator Wightman, thank you. Thank you for being here. On some of these states where the days are listed, do you happen to see that handout? [LR1CA]

RON SEDLACEK: No, I have never seen this. [LR1CA]

SENATOR FISCHER: Do you have information on other states, what they do on their sessions? Do they meet, do they meet every day? Do they meet...I know, I know in my conversations with my counterparts in other states, sometimes they only meet Tuesday and Wednesday. And so their session is extended then basically all year, even though they're only meeting twice a week. You know, here in Nebraska we condense it so we meet five months for our 90 days. Do you know how that works in other states? [LR1CA]

RON SEDLACEK: Well, I could...I can certainly attempt to get that information and I think I can get it from the U. S. Chamber and their, and the particular state association division. Probably, the most, I would think, the most up-to-date reliable would be from NCSL, but that certainly could be obtained from them too. But at any rate, yes, we all know, every Legislature operates under its own particular rules, and quirks, and constitutional provisions that, of course, bind them. But there are different models, and one time, of course, we met as a Legislature generally for all five days of the week. There were...there was one session I recall several...well, it's been over two decades ago now where there was a meeting of the Legislature, there was a bill introduction period. And then they took a break from bill introduction for about two weeks so that all these bills could be printed up. There were no public hearings. There was nothing intervening. It was a two-week dead time. And that allowed a lot of the senators to get their offices organized and so forth, and that was kind of a pleasant experience, that I recall. Now the reason for the two-week gap was at that time there was some severe flooding along the Platte, and there was, I think, some problems getting back and forth. So that was kind of an act of God and an act of nature that that made that particular calendar change. But it was an interesting concept, but it wasn't part of tradition and it wasn't continued afterwards. Kansas has a...and other states, have a, what they would call a...it's essentially a veto session to consider legislation at...to reconsider legislation and so they have kind of like a dead week period, so to speak, before the finals. [LR1CA]

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SENATOR FISCHER: Do you know if Nebraska would be allowed to convene and then take and start with bills and then maybe take a break, let the Appropriations Committee meet and do their work and then come back, is that...? Do you have any legal advice if that could work? [LR1CA]

RON SEDLACEK: Right. The Constitution only provides a limitation on days. [LR1CA]

SENATOR FISCHER: Would the days be counted... [LR1CA]

RON SEDLACEK: And it also provides the day you must convene but it does not say the date you must adjourn by. [LR1CA]

SENATOR FISCHER: But would the days count if the Appropriations Committee was meeting, would those days count as session days, if you had committee hearings? [LR1CA]

RON SEDLACEK: I don't believe so. I think that when they speak to this they speak of the Legislature as a committee of the whole. Okay. As opposed to a committee of the Legislature, so my...I certainly would stand down any other legal analysis, but my own analysis would be that the Constitution doesn't speak of...that that would be permissible, would not count as a legislative day. [LR1CA]

SENATOR FISCHER: Okay. Thank you. [LR1CA]

SENATOR WIGHTMAN: Would that not be some of...Mr. Sedlacek, some of the suggestions you make as far as drawing more people in if committees were meeting during that same period of time. And it may not be just the Appropriations Committee but it might be that the Health Committee has a busy schedule or the Education Committee, and if those people are going to be members, the members of the Legislature are going to be members of those committees, which they would be, aren't they going to be meeting the same length of time? [LR1CA]

RON SEDLACEK: Well, that's certainly a possibility, you know, and I'm not advocating one way or the other in that regard. Yes, you know, there could be a number of modifications that, you know, no matter what you pass, it would thwart that particular objective. However, and I'm not advocating this either, but if the Appropriations Committee were to meet, let's say outside of session, and you use that as an example and I'm just throwing out an idea, would be, let's say, evening meetings or Saturday meetings or something that we're not accustomed to at this point. But outside of session where it would accommodate others and I can see that so many love that idea right now, but...(laughter) but at any rate, that could be, you know, those are accommodations that could be made. I'm not saying I advocate it. I'm just saying that

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there are innovative ways to address this. [LR1CA]

SENATOR WIGHTMAN: Thank you. Any other questions? Senator Langemeier. [LR1CA]

SENATOR LANGEMEIER: You got a little snicker when you said meeting on weekends. I think if you follow my schedule every day, I have meetings starting at 7:00 tomorrow morning and going until 11:00 tomorrow night and Sunday I have them at 2:00 in the afternoon going until 8:00 Tuesday night doing legislative things. I'm already doing that. So I think some of the feedback is, we're already there. [LR1CA]

SENATOR WIGHTMAN: Thank you, Senator Langemeier. Any other questions? Thank you, Mr. Sedlacek. [LR1CA]

RON SEDLACEK: Thank you for the opportunity. [LR1CA]

SENATOR WIGHTMAN: Anyone else testifying in favor? Do we have testimony then in opposition to LR1CA? You won't need to fill that sheet out. We have the information, if you just want to go ahead and begin. [LR1CA]

HARRY L. MUHLBACH: Oh, okay. All right. My name is Harry Muhlbach. I'm from rural Lincoln. Originally, grew up... [LR1CA]

SENATOR WIGHTMAN: Would you spell your name for the record? [LR1CA]

HARRY L. MUHLBACH: Yeah, M-u-h-l-b-a-c-h. I was born and raised in Buffalo County out by Kearney. I'm here representing myself and my family and the people that have...that live outstate more. This is a Unicameral. It's a unique...we're comparing to other legislative bodies. But one thing that I noticed was missing in this little survey that was presented, how many of these states are in budget problems right now? Is it the ones that have the short time, the long time? I think we should leave it where it's at because of...outstate Nebraska, when we start condensing this it gives the people outstate less time to come down here. When a bill is introduced and you shorten up the time deal, it can get run through the Legislature before people in outstate even get a time to even notice that bill is being heard in public hearing. I do not think that we should be shortening the time up for the public to have their participation in this Legislature. That 30 days and 20 days, when the senators are elected, it should be their understanding that they are going to have to sacrifice part of their business, part of their time, and I hear right today here that you guys are. But I've also heard today from...that there may be a little more self-serving by shortening the Legislature from some comments today. And I don't...if you're willing to be a senator, and I know most of you understand that you have to sacrifice them extra days because this is an important part of our state. And one thing that you may be wanting to look at is that our out-of-state

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senators, and I'm talking about just within a hours drive from here, that time starts multiplying just the time that you spend on the road to get down here. Maybe we ought to be looking at recompensating more for the outstate senators come to Lincoln because those are the people, the senators that are really sacrificing. They can't just run home at night and go to bed. And I understand they probably are being a little bit. When a bill is introduced on a shorter time, the priority bills, last year the state of Nebraska had a lot of bills. We had senators that were leaving because of term limits and they had priority bills, and I felt that some bills got railroaded through a little bit more without more public comment. And I think that this definitely shorten the time would not help the state of Nebraska. [LR1CA]

SENATOR WIGHTMAN: Thank you, Mr. Muhlbach, for your testimony. Do we have any questions of Mr. Muhlbach. Thank you. Anybody else in favor and want to testify in favor? Or opposed? Excuse me, we finished the...anybody else want to testify opposed to LR1CA? Anybody in a neutral capacity? Seeing none, we will go ahead and close. Senator Friend, do you want to close. Senator Friend waives closing. So that will conclude our testimony and our hearing on LR1CA, so we will open on LR5CA. Senator Friend, you may open. [LR1CA]

SENATOR FRIEND: Thank you, Chairman Wightman, and members of the Exec Board. Again, my name is Mike Friend, F-r-i-e-n-d, and I represent the 10th Legislative District in northwest Omaha. I'm here to introduce LR5CA. It amends Article III, Section 12, of the Constitution of Nebraska and change the term, the limit on terms in the Nebraska Legislature from two consecutive terms to three consecutive terms. In the year 2000, Nebraska voters established two terms as the maximum number of consecutive terms a person may serve in the Nebraska Legislature. Prior to introducing this constitutional amendment, thought was given to having this proposal combined with LR1CA, which we just discussed. Since both amend Article III of the Constitution, please note adoption of both proposals would equal the identical number of legislative days. I think Mr. Sedlacek brought this up that a senator would serve over a 12-year time frame instead of just eight years. Although I doubt strong salesmanship will be necessary for me to convince you, I guess, of the need for LR5CA, I would like the record to reflect my sincere interest in bringing this proposal forward, mainly, ultimately, for the voters to consider. Its approval will not impact me. I think it will impact few of you. This isn't self-preservation, as you well know. I think it would be...it would give the voters an opportunity for the first time in about ten years or so, to reexamine an issue of term limits. And I don't think there's anything wrong with that. Just like I didn't think there was anything wrong with them examining how we do our job in LR1CA. I respect what the voters said in a previous election on this issue. It should be noted that the proposal does not do away with term limits. I'm a proponent of terms limits, hence this initiative. It merely allows senators serve those three consecutive terms instead of two, allowing a Legislature to possibly become more effective, possibly become more effective in the position of serving their constituents. As you know, term limits severely impact

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institutional knowledge. I could argue a long, long time about that. Senator Pahls brought up earlier the idea that there's a lot of bright people in here, new people. Yes, there are. It took me a year to find out where the bathrooms were. I don't think I'm that bright. It took me almost a year to find out where the bathrooms were, all of them. (Laughter) I felt comfortable after three years really standing up on the floor and doing what I needed to do for my constituents. That's the point. We'll never have another senator serve as long as Senator Ernie Chambers or Jerome Warner, Senator Jerome Warner. But twelve years, I think, is a service that could be considered far better than eight for our constituents, for the people of Nebraska. Personally, I don't see the harm here. If Nebraska had two houses, perhaps limiting legislators to two consecutive terms would be okay. You know, you could pull from the house of representatives, you could get some institutional knowledge from a organization like that. Nebraska is unique. I think the testifier before said that. We have a one house Legislature. We've seen the impact of term limits that it's had on the body. Not necessarily all bad, like Senator Pahls pointed out, but some of it could be. I think it's up to all of us to make that determination. I think LR5CA respects the voters wishes from previous elections. I also think it gives members the opportunity to seek a third consecutive term if they desire it. In the end, our citizens will be the beneficiaries of it. Our citizens will get a chance to make a decision as to whether they want to see something like this come to fruition. I'd be happy to answer any questions about this. It's pretty straightforward, but I thank you for your time. [LR5CA]

SENATOR WIGHTMAN: Thank you, Senator Friend. Do we have any questions for Senator Friend? Senator Langemeier. [LR5CA]

SENATOR LANGEMEIER: Thank you. Senator Friend, I do have one question. And I am supportive of this idea of going to twelve years for a number of reasons, but mainly not for my own. I mean, when I've served eight years that's all my wife, that's all my business I can financially handle. I'll be broke. But what I'd like to see in this proposal is we get some more continuity to an even number or a more unified number of roll over, versus two years ago twenty-four, this year sixteen. I think that a third term, and again I'll support term limits. I think it's acceptable, but I think we could try and get some even rotation so we don't get such big numbers coming in to keep some continuity so that someone that's here a little longer can help you, escort you to the bathroom. But I think there's some real potential for that with a third term. [LR5CA]

SENATOR FRIEND: I would agree. I think you bring up an interesting point. There was a point before term limits kicked in where the average, and I don't want to misspeak, I can go look this up. I mean, it's easy to find. The average length of a senator's participation in the Legislature was 10.4 years or something like that. People were not...the point is, we're opening up options, we're opening up the chance that there would be continuity that you're asking for. I don't think everybody is going to take advantage of all the...I, I, look, you want me to be honest here, I almost didn't take

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advantage of a second term. And it's not...I wasn't complaining about my life. I mean, one CA wasn't brought forward because I don't like my life and I don't like life in the Legislature. I really like it. I think we have to look at the way we do our business. I think it's healthy and I think you bring up a healthy question. I don't know that I have a healthy answer to it, except to say that you extend four more years out, you're going to have some people that say, well, you know, eight's enough, I've had enough. Or you're going to have people that say, well, no, I'm taking it to the twelve. I don't know, but you're still satisfying, I think, what our citizens originally intended, maybe in the year 2000. I don't know if I answered...but if you had a question, so I don't know if I could answer it. [LR5CA]

SENATOR LANGEMEIER: I'm not sure I had a question but it was a good answer to a nonquestion. (Laughter) [LR5CA]

SENATOR FRIEND: Thank you. [LR5CA]

SENATOR WIGHTMAN: Thank you, Senator Langemeier. Does anyone else have a question? Thank you, Senator Friend, for your introduction. [LR5CA]

SENATOR FRIEND: Thank you. [LR5CA]

SENATOR WIGHTMAN: (Exhibit 2) We do have two letters in support that I would like to place in the record at this time. We have a letter...and these will be in the packet of the committee members. We have a letter from Senator...or from Scott Merritt with the Nebraska Corn Growers Association supporting LR5CA, and we have a letter opposing LR5CA...well, we'll wait and put that into the record when we get to the opposition. So I would ask that Scott Merritt's letter be placed in the record. Next testifier. [LR5CA]

RON SEDLACEK: Good afternoon, Mr. Chairman, and members of the Executive Board of the Legislative Council. My name is Ron Sedlacek, and that's spelled S-e-d-l-a-c-e-k. I'm here to testify on behalf of the Nebraska Chamber of Commerce and Industry in support of LR5CA. As I had mentioned in previous testimony, the State Chamber of Commerce has had a longstanding position in opposition to term limits as a concept. That's our philosophical basis. We would like to see a repeal of term limits, but rather than doing so and respecting the voters did, did approve for two terms about a decade ago. We would encourage a revisitation of the issue and at least extend an offer of three legislative terms, which we believe would be reasonable. Although it probably sounds...I know it does sound somewhat cliched at this point when we talked about term limits for so long, but we always felt we had term limits in Nebraska, we called them elections, and that's the basis of our opposition from the very beginning. But with that, I will not be repetitive in testimony. Senator Friend laid out the issue, we thought, very well. And be happy to entertain any questions. [LR5CA]

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SENATOR WIGHTMAN: Thank you, Mr. Sedlacek. Any questions of... Senator Karpisek. [LR5CA]

SENATOR KARPISEK: Thank you, Senator Wightman. Mr. Sedlacek, do the two need to go together in your opinion, 1CA and 5CA? I can see this getting... [LR5CA]

RON SEDLACEK: I would...I'd like to see...I would like to see, as a proposal to the people looking at the issue of extending term limits, they may well go in tandem as an opportunity to extend term limits. Do they need to? No, but I think it would be, perhaps, a concept to consider in proposing, in proposing extension of term limits with the fact that not meaning any more legislative days, but you are giving more time to seriously consider legislation as well as to, for a senator to promote their legislative agenda to adequately represent the district, get the job done, and to increase the pool of candidates. [LR5CA]

SENATOR KARPISEK: I could see if these would go on a ballot, 1CA passing and 5CA not. Then we've just cut the number of days far down, the less experience, so. [LR5CA]

RON SEDLACEK: And this is a question as to whether or not the two topics can be put together. They very well may be able to be placed together and still not violate a single subject rule, but that might be something where we would want to have some additional research, perhaps by a third party such as the Attorney General. [LR5CA]

SENATOR KARPISEK: Thank you, Mr. Sedlacek. Thank you, Senator Wightman. [LR5CA]

SENATOR WIGHTMAN: Thank you. Thank you, Senator Karpisek. Were there any further questions? I forgot to ask for a show of hands. How many more would be here that would testify in favor of LR5CA? Okay. Next testifier. And how many here would testify opposed to? Still just one? Any neutral? Thank you. [LR5CA]

NANCY INTERMILL: (Exhibit 3) Good afternoon. Senator Wightman, and members of the committee, thank you for allowing me to speak today. I'm Nancy Intermill. That's spelled I-n-t-e-r-m-i-l-l, and I'm here representing the board of the Nebraska League of Women Voters. The League of Women Voters of the United States and the League of Women Voters of Nebraska oppose term limits for legislative offices. Term limits restrict the right of voters, we believe, to choose their representatives in government, and the League has testified numerous times in this Legislature in opposition to limits for state senators. That being said, the League supports LR5CA as a measure that extends the length of time a senator may serve when elected to office by his or her constituents. The measure will benefit the citizens of Nebraska in their right to vote for their representatives in government, and we urge the committee to send this bill to the floor for full debate. That is my testimony. I'd be happy to answer any questions or at least

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try. [LR5CA]

SENATOR WIGHTMAN: Thank you, Ms. Intermill. Do we have any questions? Senator Fischer. [LR5CA]

SENATOR FISCHER: Senator Wightman. Thank you for being here. Do you know in other states...do you have any information on how many people move from the Senate to the House or the House to the Senate? Because I, just from stories with people that it takes place a lot and so you don't, you don't lose the experience because they're going across the hall. [LR5CA]

NANCY INTERMILL: Right. Right. [LR5CA]

SENATOR FISCHER: Here in Nebraska we have no hall to cross. Do you have any information, do you know of any studies out there? [LR5CA]

NANCY INTERMILL: I'm sorry, I don't. But I'd be happy to look that up for you and see if we can get that information. [LR5CA]

SENATOR FISCHER: That would be great. Thanks. [LR5CA]

SENATOR WIGHTMAN: Thank you, Senator Fischer. Any other questions? Thank you for your testimony. [LR5CA]

NANCY INTERMILL: Thank you very much. [LR5CA]

SENATOR WIGHTMAN: (Exhibit 4) No other testifiers in favor? Okay. Testimony in opposition, and we do have one letter that again will be in the Committee members packet, a letter opposing LR5CA from Doug Kagan with the Nebraska Taxpayers for Freedom. [LR5CA]

HARRY L. MUHLBACH: My name is Harry Muhlbach, spelled M-u-h-l-b-a-c-h. I'm here to oppose this because the...representing my family and other voters that voted for the term limits. This is too soon to be changing this. We haven't even had a chance to see if it really works. We've already...last year was the first, or this is the first session where we've gone through this. This shouldn't even be here as far as I'm concerned yet. We haven't even tested it. If we go to longer term limits, my personal feeling is longer term limits actually help the metropolitan senators more because once they get their foot in the door and established, they have a little more power play over your rural senators. And that's another reason I'm not for longer. And another one, on longer term limits by extending it also hurts good people that want to run. And as a lot of you in here know that there's only a certain part in your life where you have the time to even take time out and run for a senator. And it may only be a ten or fifteen year window. Say if

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you're...you've got good ideas, you've got good...and I'm a strong believer in bringing in new blood into the Legislature. We need to have fresh ideas, current ideas, and sometimes with long-term limits we get stale. And so that's my main reason. This shorter term limit will help other good people become senators too. [LR5CA]

SENATOR WIGHTMAN: Thank you, Mr. Muhlbach, for your testimony. Senator Langemeier. [LR5CA]

SENATOR LANGEMEIER: Thank you, Chairman Wightman. I guess, first of all, I want to thank you for coming and testify. This is kind of an odd time to have a hearing and whatnot, so I appreciate you taking the time out of your day to come here. But you talk about the metropolitan senators taking over. Well, I guess I look at Exec Board here, and as we're here, it's 6-3 rural, and so... [LR5CA]

HARRY L. MUHLBACH: Well, I noticed that here. Okay. I did notice that, but... [LR5CA]

SENATOR LANGEMEIER: ...and so, and so, and this is supposedly the leadership. So I would say, I don't know that has a lot of merit. [LR5CA]

HARRY L. MUHLBACH: Well, it does when it comes to other committees. I think our Natural Resource Districts, the metropolitan plays a big part in them. That our outstate NRD districts don't have near the power because of the money...the money is not disbursed equally. I think that's, not to change the subject, but that's a prime example where Natural Resources should be the whole state but it's in a couple of district where all this money is being spent. [LR5CA]

SENATOR LANGEMEIER: Okay. Thanks. [LR5CA]

SENATOR WIGHTMAN: Any other questions? Senator Nelson. [LR5CA]

SENATOR NELSON: I want to thank you for coming in as an individual and representing your family and also other voters. You mentioned trying to get good senators, good people to come to the Legislature. Do you have a position on increasing the salaries of legislators? I think there may be something on the ballot in a couple years about that. [LR5CA]

HARRY L. MUHLBACH: Yes, I think that it's very expensive to take out of your life to do that and I do think that our senators need to be rewarded a little more for their hard work. [LR5CA]

SENATOR NELSON: Thank you. [LR5CA]

SENATOR WIGHTMAN: Thank you, Senator Nelson. Any other questions? Thank you

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for your testimony. Do we have any other testifiers in opposition to LR5CA? Do we have anyone who wants to testify in a neutral capacity? If not, we will close the hearing on LR5CA...oh, did you want to, excuse me. I keep trying to shut the door on you. [LR5CA]

SENATOR FRIEND: All right. See you later. (Laughter) [LR5CA]

SENATOR WIGHTMAN: I guess we were successful. At this point we will open the public hearing on LB505, which is to be introduced by Senator Pirsch, and I would ask at this point how many would intend to testify in favor of LB505? One. Anybody in opposition? Anybody in a neutral capacity? Just trying to get a reading on how long we might expect to be here, so. Senator Pirsch. [LB505]

SENATOR PIRSCH: (Exhibits 5, 6, and 7) Yeah, I was kind of hoping the whole room was going to be proponent, but... [LB505]

SENATOR WIGHTMAN: You got them coming in later, do you Senator? [LB505]

SENATOR PIRSCH: Yeah, it's a horde outside there, yeah. (Laughter) Whenever you're ready. [LB505]

SENATOR WIGHTMAN: We're ready. [LB505]

SENATOR PIRSCH: Okay. Great. Thank you very much, members of the committee, Chairman Wightman. I am state Senator Pete Pirsch representing Legislative District 4, the sponsor of LB505. Just to kind of give you a, kind of the context to the bill, and I really think this could...that there are, may not be any more important pieces of legislation that you see during your term of years here down in Lincoln, but it stems from the importance of economic development to our state. I really think when your talking economic development, and I'm talking more than just LB775, Nebraska Advantage, these passed and I'm talking the overall concept of economic development, which I would posit bleeds or permeates over into virtually every issue that we face here in the Legislature. I'm not sure that there's a more important need to be addressed. You know, we are in a state of 1.7 million people. A hundred years ago, if you look back, we were in a state with not a whole lot fewer people. Not much has changed in 100 years. The effect of this permeates almost every committee that we have, almost every issue that we have. We are always struggling with our high taxes, how that's driving people, jobs, businesses who are here in the state currently out of the state, and how we are having a problem as a result attracting, in some cases, people to the state with that impediment. The issue of roads funding, the issues of schools, the institutions, the health services that we provide, they're all dependent upon our ability to have people living in the state, in which we throw money into the kitty and help provide for the, you know, quality level of governmental services. And as a result of that, you see a lot in the western areas of the state, small towns drying up, and it affects just...it's so much of what we do here in

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the Legislature. And so it's a new day and age. And we're, no longer find ourselves competing just with the states and the region or the...you know, all the states in the country, but we're in a global economy now competing against Brazil and regions from around the world. And so, I think that it is, my bill kind of recognizes the importance of economic development in our new day and age. The problem...and let me just kind of give a brief overview. LB505 grants authority to the Executive Board, this body, of the Legislative Council, to appoint a six member select committee known as the Economic Development Committee. Think of it, kind of, modeled after the Public Building Commission in many ways. LB505 directs the Economic Development Committee to engage in strategic planning with respect to matters of economic development, develop and, secondarily, develop and promote a consistent priority-based approach to economic development, and also assess the performance of previously act...enacted, rather, economic development measures. The appointment of committee members shall be...which will be done by this body, shall be based on the legislator's interest in economic development and knowledge of economic development. In addition, you will consider geographic representation in appointing those members of the six member board. LB505 allows the Economic Development Committee to utilize existing legislative staff or to the extent that's deemed reasonable and necessary to contract for necessary expertise. Staff of the Economic Development Committee shall serve as a close liaison with agencies involved in economic development, Department of Economic Development, as well as the Governor. And I envision with Chambers of Commerces, with other important types of going entities out there in the state. LB505 directs the Economic Development Committee to meet as necessary and propose economic development legislation beneficial to the interests of Nebraska's citizens. And so I don't envision this committee getting together and having, you know, as we senators introduce our bills at the beginning of the year, the 700 aught bills, that bills will be referred to this committee. No, what will happen instead, this bill, this committee is to, can have the ability to propose legislation and you can limit the number as you see fit, two bills, five bills, whatever you think necessary. But...and the whole idea here is, I'm not trying to detract from our existing system. I'm trying...this is going to enhance it only, not subtract from anything. There won't be any turf battles going on because committees are not losing an iota of power. I expect this Economic Development Committee to develop some expertise and then be able to provide that expertise through say, appearing at committee hearings on certain bills, and speaking in favor for. They should develop the ability to develop a framework, as I say, a prioritization of what, you know, looking at the entire universe of what we could do as a state in the future going forward determining where our strategic competitive strengths lie. And then prioritizing, looking at the total beneficial effect that could result in terms of pursuing this as opposed to that. And through that kind of process, determining where we should be looking primarily, and then secondarily, and then afterwards. And so I imagine they will be working closely with the Chamber of Commerces. There's quite a bit going on throughout the state and so I imagine that that would be, that they would be on the ground a little bit being...touring existing economic development efforts, looking where

there's shortfalls, looking where we need to be going. When they...and utilizing that expertise being recognized within the body, these six members, as people who are working on, who have developed an expertise who can be called on and referred to for their expertise, and these...this committee, the Chairman or any of the members can appear before a committee if there is, through the existing system economic development bills, which say, for instance, get referred to the Banking, Commerce and Insurance, you know, they can go and testify to the committee as to the, their analysis of that particular bill. And I think they're not detracting to the extent that the existing committee finds it valuable and helpful, that's great. To the extent that they want to ignore that, they're free to do that. So it doesn't detract from the powers of the committee, only enhances. And I think that the problem is, that we...why this is necessary, is we approach economic development so piecemeal. The...you know, this economic development bill goes to Banking, Commerce and Insurance, this goes to Agriculture, there's no unified central kind of core to which can, you know, to which they're both referred to have a bigger perspective to see where they fit together, which is more important, which should be emphasized, and so these committees never do have the capacity, I think, to have the fuller picture or universe of creating a comprehensive structure to economic development. And so this would help to give that kind of structure to this body, which I think is desperately needed. It does not require an appropriation. There's no fiscal cost entailed in this. Now, I know, there's other plans that in the future are going to be...you know, Senator Harms, in particular, I commend him for this. He's looking at strategic long-term planning. I think that's, and that's going to be a comprehensive, every committee, every effort. And I applaud him for that. I think that's going to require a lot of thought, a lot of planning, and I support that. But this is something that is doable in the bite size form. It can be enacted right away and I think is going to be extremely important. And in the past, we have recognized the importance of this and we have done, and I won't comment on this too much because I think Senator Wesely is here to, Mayor Wesely is here to comment on what they did in 1985. They did a special committee on economic development that he put together, which had, I think, profoundly good effects in the years following. But it didn't have that institutional staying power and that's the problem. We're not institutionalizing good things like that and we need to make it part of the process because it permeates everything we do. And so that's what this bill would do, is give some lasting power so that we're always thinking as we're talking about economic development in the Ag Committee, economic development in the Banking, Commerce and Insurance. A comprehensive picture that puts it together and year after year after year builds upon one and each other. We don't consider things in the abstract. And so that's a little bit about the...that's more than a little bit about it. I probably...(laugh) I can see the eyes...but if you have any questions, again just emphasize, we won't...no bills will be referred to this committee. The committee will study past economic development legislation. It's analyze its beneficial effect or what the effect has been. They will help to have a list internally of what they feel is a priority economic development based on our strengths, and also try to promote a consistency priority based approach to it. And so having said that, they can propose

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legislation. I'd be happy to entertain any questions at this point. [LB505]

SENATOR WIGHTMAN: Thank you, Senator Pirsch. And I did want to bring up the fact that we will be hearing on the 20th, a week from tomorrow, Senator Harms bill, which I believe is LB653 and you kind of told me how you think there might be an interplay between those two, but still apparently believe that yours stands alone. Is this something that this committee should consider together when we consider Senator Harms's bill? [LB505]

SENATOR PIRSCH: Yeah. And I think that they are complementary. There is nothing about Senator Harms. It's more comprehensive in scope. It goes beyond economic development. It goes to, I think, and I don't want to speak for the Senator, but my understanding of what his bill is, is very comprehensive, touches every committee, and will require a certain amount of initial data perhaps that will, will have to be collected, I think. And that's great. I support it. I think that's doable. I think this is something that we can go forward with in the short-term here and will show a positive result, so. I think they're complementary. [LB505]

SENATOR WIGHTMAN: Thank you. Thank you. [LB505]

SENATOR FLOOD: I have a question. [LB505]

SENATOR WIGHTMAN: Senator Flood, Speaker Flood. [LB505]

SENATOR FLOOD: First of all, Senator Pirsch, in my constant quest to eliminate these multibranch task forces that water down the lines between the executive and the legislative branch, let me compliment you on doing something that's wholly within the Legislature. Because I think too often, we try to tackle big problems and we expect that having everybody from both branches of government, and the citizens or nonmembers of the Legislature, is somehow going to magically solve a problem while completing ignoring the separation of powers in the state Constitution. So I just want to say, I appreciate the approach you're taking. I think it's the right way, and if I understand what you're trying to do, this would be similar to like the Performance Audit Committee where it doesn't, it doesn't hear bills in committee, but it has the ability to propose bills with a certain majority of the committee members, is that? [LB505]

SENATOR PIRSCH: Yeah. Absolutely, that's exactly right. It's much along those lines and I appreciate...this committee would be exclusively internal to our legislative branch how we decide to do things. And have no affects whatsoever upon the executive branch other than, I would imagine that to the extent that, you know, the Department of Economic Development would be, you know, a valuable resource that could be invited to give their, you know, points of view and whatnot, which they, the committee, could accept or doesn't have to accept. But it, yeah, it's internally exclusive to the legislative

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branch, so we're not talking about any separation of powers issues. This is... [LB505]

SENATOR FLOOD: I just want to say for the record, I appreciate that approach because I think there's a lot to be learned from looking at it this way as opposed to other ways the task forces have been put together. This is on a separate level. This would be a special committee of sorts, but I appreciate it. [LB505]

SENATOR WIGHTMAN: Thank you, Speaker Flood. Senator Langemeier. [LB505]

SENATOR LANGEMEIER: Thank you, Chairman Wightman, and thank you, Senator Pirsch, for your introduction. I have a lot of questions. I'm not sure where to start. First of all, as we serve in this body we all bring a realm of expertise. And could not someone in the body, and maybe that's you, start studying economic development and try and put themselves in that realm of expertise and not need this group? [LB505]

SENATOR PIRSCH: Yeah. [LB505]

SENATOR LANGEMEIER: And then, and then I will give you the second question, and then I, maybe I'll just stop. My second question is, is you talk about this committee might testify on behalf of bills that were sent and you referenced one to Banking and one to Natural Resources, one to some in Ag Committee, I think you used. When do you perceive that this committee is going to meet to try and make a statement on those bills? We just heard about our session needs to be shorter or longer and we need more time for this and that. And we even had testimony from the opposition that things go so fast that the public in the west isn't even hearing about it. When would you meet to...I don't see any practical way this could even happen, I guess. [LB505]

SENATOR PIRSCH: I appreciate that. Let me just address them, some of them and you can let me know if I fail to address any of your concerns here. Why not just address this on an individual, Senator, by individual basis? If you have an interest in economic development, go out and find out about it. Come back and tell us to the extent you want. If you want us to set up a bus meeting, you know, throw a flyer around, and see who can go with you. The problem with that approach, and that's what we've done, by the way, is individual by individual. And the problem is, it doesn't institutionalize. Why don't we use that approach with natural resources or agriculture or banking, because these are things that we don't encounter occasionally. This is something that permeates every year, every...a lot of issues, and we don't want in the era of terms limits when I'm going to be gone. I might, you know, there's nothing that says I'm necessarily going to get reelected next year. And so I study up, bone up on, you know, on economic development and then in 300 whatever some days from now, I happen to be gone and all my knowledge is lost, and it's up to the next person to decide whether or not they want to. And so, we have done it that way. And the problem is, I mean, you have to look back and analyze. Is it a problem? Do we approach economic development piecemeal

as a result? In years past, we've...this past session, the session before, we have approached issues of economic development. And I don't mean to minimize them, they're good bills. You know, when you talk about our wine industry and film, hey, those are great ideas in the abstract. But if fully matured, for instance, our wine industry, since we don't have the climate or the soil to ever compete with Italy or California, you know, what is the fully matured, the best possible thing that can happen to us as a state in terms of tax revenues? Is that where strategic competitive advantage lies in the grape industry? Maybe it is. I don't know. But we need to have, I think, this institutionalized knowledge that comes back even when I'm gone that always has this list that gives guidance and input, which can be ignored or can be listened to. I think over the course of time, these are people who gravitate to the committee just like natural resources and education, that people come to have a respect for. These are people who have some sort of interest in and background in and so, just their mere comments on the floor at committee meetings will, I think, help frame the issues to a large extent for the body. And they will be a conduit to which the outside world can then say, this is the head of...you know, these are definitely individuals that if we show them the truth of what's going on in the state, this is a good way to get that window into the Legislature. And so, I think that would be the importance there, is...I don't think you want to have personal individuals responsible for that who...and because again, like, and I think Senator Wesely will talk about, they did a great job in 1985. And a lot of the measures that they suggested were enacted in '86, '87. And they worked and they did great. But then '88 came around and '89 and it was a temporary committee. And '90 and it depends where the cycle is and when things are going well, you know, we don't need to pay as much attention. And then, the down cycle always comes and then you're unprepared. I think your other question was, where are you going to find time to meet. There is...and that's why I was very clear in my bill not to suggest that there is any, shall meet Tuesdays and Thursdays from 5:30 to 6:30. Look, if...I mean, there is...it is going to be up to the decision of this committee, and the...I'm sorry, the Chairman of the Economic Development Committee when and where they can meet and there's nothing that says that they have to meet on a, you know, three times a week basis, twice a week, or any times a week. Maybe they meet fewer than that and maybe it's a...you know, so, it is very accommodating the time frame for which they meet and I think once they...I think it's correct to leave it up to the Economic Development Committee to decide how often, and where and when they should meet. But these are people who are going to be self-selecting saying, I want to be on that committee. And I might point out, in this era of term limits, look there's a lot of stagnant. If you come in a lot of times and, you know, you've got eight years with, you know...you're going to find a lot of interest in this committee because people want to engage in a committee where they can be a leader. A lot of people might come in and not have that chance for leadership anymore because whoever comes in might be Chairman for all eight years, they are as Vice Chairman. So this gives another opportunity for a leadership position within the body which are going to be a lot more scarce now with term limits. I may have talked too long. Go ahead. Did you have any follow-up? [LB505]

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SENATOR LANGEMEIER: I'm done. [LB505]

SENATOR WIGHTMAN: Thank you, Senator Langemeier. Thank you, Senator Pirsch. I guess I have one question. If we're going to, if we're going to keep this knowledge, this collective knowledge, are we going to need eventually a committee clerk or are we going to need committee counsel? Because that becomes a big issue with us going to require expenses, additional expenses and appropriations down the road. [LB505]

SENATOR PIRSCH: Appreciate that. Yeah, and there's nothing in this bill whatsoever that calls for an appropriation. I think what...look, the way I envision it. I don't want this to be...we can't afford for, to be hiring staff and whatnot now. And that's not how I envision it. I imagine what we'll do is just have the committee meet. There's no cost to that. Utilizing our existing structure right now, to the extent that if they were to have an occasional need, you know, I think that that would be an incremental need for a letter typed or something of that, then use existing resource. I don't want this to be a big draw even on existing resources, but it certainly won't involve any new personnel as far as I envision it. Unless that's, of course, what you demand, in which case that's fine. But I don't envision it that way. What will outlive the members, is their approach. They're going to have to determine an approach to a prioritizing economic development legislation and a mechanism for becoming aware of that. And so some of these procedures, I think, are going to be healthy, some of the things that they're going to be required to do. And that's what's going to be passed on to future generations of legislators, is an awareness of the issues. The outside world will become aware of this committee as a window to the Legislature, and they will start to, you know, market to that. And the expertise then will be...I mean, the outside world will appreciate and I think the inside world will appreciate it as well. [LB505]

SENATOR WIGHTMAN: Thank you. Any other questions? Thank you for your testimony. [LB505]

SENATOR PIRSCH: Sure. You bet. [LB505]

DON WESELY: Mr. Chairman, and members of the Exec Board, I'll be very brief. I'm Don Wesely, and a former Senator and dealt with this issue. I want to thank Senator Pirsch. I'll fill this out later if that's okay, time is short. Very quickly, we...this started, Senator Langemeier, you talked about individual interest. I was Chair of the Health Committee and we didn't have any money back in the early '80s. The last horrible economic crisis was then. Banks were closing, farms foreclosures, and the budget was tight, always tight. And I realized, look, until the economy is strong, there's no money in there to do the things I wanted to do to help the poor. We've got to have good jobs, good strong economy. So I actually started working on this at an ad hoc committee, had over 20 senators meeting, and it led to the desire to do something serious about this, so

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we formed a committee. Actually, Speaker Barrett was involved with that from your district, Senator Wightman. He worked with me. We got the committee established. I was named the Chair. And we had representation from different committees, sort of like this Exec Board. We had, the speaker was involved, the Revenue Committee, the Banking, Commerce Committee, the Business and Labor Committee, the Urban Affairs Committee, Natural Resources Committee had a rep on there, Appropriations Committee and Transportation Committee. Basically, a eight member committee of the different committees that handle the legislation. We got together. We did interim study. I don't know if you've got a copy of that. I gave some to Senator Pirsch. But we issued studies that led to bills. We had a package of bills in '86, a package of bills in '87, most of those passed, and had a pretty dramatic impact. The economy started to get better and so we were just formed as an Exec Board action. It wasn't a bill. And so later, I felt it would have been nice to have an ongoing presence. The economy got better in the '90s, but now it's bad again. It's the cycles that go through. And so I just wanted to share with you that this model can work. It did work. There was some success. It just didn't last as time went on. And if you have any questions, I'd be happy to answer them. But it goes back to Speaker Flood, you talked about the legislative situation. This is the Legislature taking a situation that is horrible right now, although we're still going to see the affects coming in the next year, taking a proactive versus a reactive role, getting involved, working with the Department of Economic Development and instead of piecemealing the issue, focusing it and making the priority. And this is the time to do it. It was the time in the '80s when we did it, and now is the time here in 2009 to do it because the economy is crying out for attention and the need for help. So I can answer questions, but I just wanted you to know this model did work and was successful and it could work again. [LB505]

SENATOR WIGHTMAN: Thank you for being here and testifying. You mentioned Senator Barrett, I think, and then he had a strategic plan or something similar to that called "New Horizons", I believe. [LB505]

DON WESELY: Yeah, we did that too. [LB505]

SENATOR WIGHTMAN: Now is that what you're talking about or is this completely separate? [LB505]

DON WESELY: No. No, we had a separate committee. We had a special...it was a special committee on economic development and it didn't hear bills. It just studied the issue and developed the legislation and then they went to the committees that members were on. And it doesn't have to be the Chair necessarily of the committee. The Chair could designate somebody else but that way everybody was represented on the different committees and the different aspects of the state were involved. We held hearings all across the state and we went on tours of major businesses. We were up in New Corp. That was when we had a chance to go through and see that. We were up in

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IBP. Went all over the state and it also gave major businesses a chance to express themselves in what they saw the state needing to do more of. So it was an outlet for information that led to the studies in the legislation and it really elevated the whole Legislature's role in the question of economic development. [LB505]

SENATOR WIGHTMAN: Thank you, Mayor Wesely. I have a hard time giving your title since you were Senator. [LB505]

DON WESELY: Don. (Laugh) [LB505]

SENATOR WIGHTMAN: So I'll call you Don. [LB505]

DON WESELY: That's fine. (Laughter) [LB505]

SENATOR WIGHTMAN: Any other questions? Thank you again for your testimony. [LB505]

DON WESELY: You bet. My pleasure. [LB505]

SENATOR WIGHTMAN: Senator Pirsch. Do we have any other testifiers in favor? Any in opposition? Anyone in a neutral capacity? Senator Pirsch, do you wish to close? [LB505]

SENATOR PIRSCH: Well, just...I'll make a couple of brief statements, but I always say that and end up talking for an hour, but... [LB505]

SENATOR WIGHTMAN: Promises, promises. (Laughter) [LB505]

SENATOR PIRSCH: Senator Karpisek, poor guy, you're going to have to go in five minutes and listen to me blather on for a lot more, but I tell you, economic development is, no doubt about it, is the key, the engine of the state. Everything, every other committee I would posit stems off the success of economic development to the extent that, I mean, we can't have money for schools unless there's people here in the state to pay taxes for the schools, highways, everything. Everything stems from economic development having people in the state and so I would ask for your consideration of this important, I think, proposal. I'd be willing to work with the committee. You know, if you have any tweaks or changes that I'd be happy to entertain them. I know in Senator, Mayor, however, (laugh) Wesely had indicated that in his case in '85, that the committees appointed someone from the various committees to be a member of this. I think that that's, you know, something, you know, worthy of taking a look at. But in any case, if you're interested in making any tweaks, I would be interested in working with the committee in any way, but I do appreciate your time here today. [LB505]

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SENATOR WIGHTMAN: Thank you. That closes our public hearing on LB505. I think, generally speaking, we probably do not have time to have much discussion on it today. Everybody needs to get to a meeting so we'll adjourn, and we'll be in touch. [LB505]

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Disposition of Bills:

LR1CA - Indefinitely postponed.

LR5CA - Indefinitely postponed.

LB505 - Indefinitely postponed.

Chairperson

Committee Clerk