

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

Executive Board Committee
October 06, 2010

[]

The Executive Board of the Legislative Council met at 10:00 on Wednesday, October 6, 2010, in Room 2102. Senators present: John Wightman, Chairperson; John Nelson, Vice Chairperson; Mark Christensen; Mike Flood; Russ Karpisek; Chris Langemeier; Rich Pahls; and Lavon Heidemann. Senators absent: Deb Fischer and Tom White. Also present: Mike Calvert; Patrick O'Donnell; Joanne Pepperl; Scott Harrison; Dick Brown; Laurie Weber; Martha Carter; Diane Nickolite; Marshall Lux; and Cynthia Johnson.

SENATOR WIGHTMAN: Okay. It's beyond 10:00. We're still waiting for Senator Christensen, but we will go ahead and open the meeting without him. The first item on the agenda...and I might point out that our clerk is operating with very limited capacity to speak so we'll need to be quiet when she does speak if you want to hear her because she recently had a lot of dental surgery and a wired jaw and a broken jaw. Is that okay that I inform them of that? (Laughter) Now is a poor time to ask.

SENATOR LANGEMEIER: She can't argue with you.

SENATOR WIGHTMAN: That's true.

JESSICA SHELBURN: I could try.

SENATOR WIGHTMAN: So we'll go ahead to item 1 on the agenda is the State College System bond issue. And it deals with Wayne College, and Stan Carpenter is here to address us on that issue. I would ask that all testifiers sign in and they spell their name for the record. [Bond]

STAN CARPENTER: Good morning, Senator Wightman. Thank you very much, members of the Executive Board, for allowing me to come chat with you this morning for just a few minutes on the revenue bond project that we have at Wayne State College. We're here today to ask your permission to issue bonds to renovate Pile Residence Hall at Wayne State. Pile Residence Hall was built in 1932. It's a terrific old building. And as we looked at the question of whether renovating or building new, we decided that it was better to renovate this great building than to try to build a new residence hall. It's also less expensive and we think more efficient and a better use of our resources to renovate rather than to build anew. Pile Hall is one of the three residence halls that were built in the 1930s. The other two were Terrace and Neihardt, and they have had extensive renovations over the years to bring them up to code and to bring them into kind of the modern era of residence halls. That has not been the case with Pile. So what we're looking to do here at Pile is to issue some bonds to get some funds to renovate the building in terms of its life safety, fire/life safety matters, its HVAC and electrical matters, and to make sure that the building and the residence hall is attractive to students. Because as you know, in this day and age we're all in competition for

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

Executive Board Committee
October 06, 2010

students, and residence halls play an important part in what students look at as they make decisions among which institutions they wish to attend. So this is a revenue bond building, and what that means is there are no state funds involved in this project. The revenue bond operations for residence halls and student centers and so on and so forth are completely funded through student funds that basically come from room and board charges and from book store commissions and from a facility fee that we charge and some other miscellaneous charges related to the revenue bond program. Those revenues then that we obtain are deposited with the trustee. And all the operating costs for our revenue bond buildings are paid out of those funds deposited with the trustee as required by our bond covenants. We have surplus funds that we generate, obviously, through the revenue bond program, and those surplus funds are used generally for minor renovations and minor repairs. Major repairs or major renovations as we're seeking to do to Pile Hall at this point obviously must come from an issuance of bonds as we are looking to do in this particular project. And as I said before, there are no state funds involved. No state funds are pledged to repay these bonds. The pledge is only from future revenue bond revenues. Let me just briefly touch on Wayne's fiscal status. It is very sound. Its revenue bond program is well beyond the minimums established by board policy. The board requires that we have 125 percent of revenue bonds in place, revenues in place to cover our operations and our debt service. Even with the issuance of these bonds for Pile Hall, the revenue bond fund at Wayne State College will be greater than 150 percent. So we feel very strongly that the financial circumstances of Wayne will support this project very easily. The Nebraska State College System Board of Trustees has reviewed the plan and the program statement that was prepared by BVH Architects. The financing plan put in place was prepared in conjunction with the financial folks at Wayne and financial folks in the system office here in Lincoln. And the issuance of these bonds for this project and the use of the surplus funds had been approved by the board as well. As you know, the Coordinating Commission for Postsecondary Education also takes a look at these projects, and they reviewed our request and approved or recommended approval on September 16 of this past year. So the question could be, why do we want to do this now? Well, first of all, as I'm sure you all know, the bond market is in good shape for us in terms of what we think our interest rates might be. We also believe that this is a very competitive time for construction and that we will get excellent prices for this project through the construction process. Obviously, in a small town like Wayne, this will stimulate the economy, and we think that's also good for our folks there. And as I said before, this is a way that we come at these projects we think is a more efficient use of our resources to renovate rather than to rebuild or build new. And also we do need to have residence halls that are comfortable and attractive to our students. So that's the Pile Hall project in a nutshell. And if I could take just a few more seconds and talk to you about a project that we'd like to bring forward to you in December, if you meet then, and that is a similar kind of project at Peru State College for Eliza Morgan Residence Hall. Eliza Morgan is a women's residence hall, sits at the top of the quadrangle at Peru. We began renovating that building or that residence hall back in the early 2000s, and we broke it into three

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

Executive Board Committee
October 06, 2010

phases. We ran out of money after the first phase and so we've got one kind of wing of that hall done. We're now in a position at Peru with our revenue bond program to sustain the rest of that particular project. Right now about two-thirds of Eliza Morgan is occupied. One-third is not occupied because it's in such terrible shape. We would propose through the issuance of bonds in December to renovate that portion of the building that is unoccupied and hopefully have that done by the time school starts next year and then move students from the unrenovated wing into the newly renovated wing and then renovate that wing so that there will be no loss of revenue to our revenue bond program through that. And then obviously when that's done we will occupy that additional third of that building, and our revenue bond revenues will increase at that point. The Coordinating Commission is going to consider that project, I believe, at its October 14 meeting. Our board has approved the project and the financing plan as well. Peru's revenue bond program is in really good shape. And one of the reasons we are doing a kind of seriatim here with the Pile Hall and Peru is on the advice of our bond advisor saying that we're better off going into the market with two smaller bond issues rather than one large bond issue at the same time. And so I won't dwell on that anymore other than to say that we think the bond market will be good in December. We believe construction will remain competitive at that point; and, as I said, we will be able to do this in a way to not lose any revenue from that hall. So with that, Senator, I'd be happy to answer any questions you might have. [Bond]

SENATOR WIGHTMAN: Thank you, Mr. Carpenter, for being here and providing us with that information. I had a couple of questions. A number...you talked about the hall at Peru. Part of it was not able to be occupied. Did we have any similar situation with Pile Hall in Wayne? [Bond]

STAN CARPENTER: No, sir. [Bond]

SENATOR WIGHTMAN: So all of the rooms have been occupied. And so as far as the increased revenue, all we're looking at is the 4 percent that you mentioned. [Bond]

STAN CARPENTER: Yes, that's correct. [Bond]

SENATOR WIGHTMAN: The increase that I think would have gone into effect even without this, is that correct? Or not? [Bond]

STAN CARPENTER: I'm sorry, I couldn't... [Bond]

SENATOR WIGHTMAN: That 4 percent would have gone into effect even without the renovation of Pile Hall. [Bond]

STAN CARPENTER: Yes. Correct. [Bond]

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

Executive Board Committee
October 06, 2010

SENATOR WIGHTMAN: So it had been basically fully occupied. Is that correct? [Bond]

STAN CARPENTER: Yes. I don't know that it was 100 percent but it was, you know, 95 percent or 98 percent. That's correct. [Bond]

SENATOR WIGHTMAN: And how many people are able to reside in Pile Hall, do you know? [Bond]

STAN CARPENTER: Carolyn, do you know? [Bond]

CAROLYN MURPHY: There's currently 134 beds. Now we don't usually have all of the beds occupied because some students prefer to pay a premium and have a private room, but I believe... [Bond]

SENATOR WIGHTMAN: If you're going to testify at length, she probably should come up. [Bond]

STAN CARPENTER: I'm sorry. This is Carolyn Murphy and she is our vice chancellor for finance and administration in my office. So 134 beds? [Bond]

CAROLYN MURPHY: Yes. Some of which are not... [Bond]

SENATOR WIGHTMAN: Why don't you come up to the microphone, if you could move a chair up? [Bond]

STAN CARPENTER: Thank you, Senator. [Bond]

CAROLYN MURPHY: Good morning. I'm Carolyn Murphy, vice chancellor for finance and administration with the Nebraska State College System. We do currently have 134 beds in Pile Hall. I believe that not all those beds were occupied because most of them are configured to be double rooms. A lot of our students who come in now prefer private rooms and will pay a premium to have a private room. So I believe that all of the rooms that were available were occupied. Probably not every bed was occupied. [Bond]

SENATOR WIGHTMAN: Thank you. [Bond]

CAROLYN MURPHY: You're welcome. [Bond]

SENATOR WIGHTMAN: Other questions? Senator Nelson. [Bond]

SENATOR NELSON: Thank you, Mr. Chairman. You make reference here to honor students and nontraditional students. Who are the nontraditional students and are...they're full-time? [Bond]

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

Executive Board Committee
October 06, 2010

STAN CARPENTER: Nontraditional students are generally defined, if you will, as students who are probably 23 or 24 or 25--beyond the normal 18- to 22-year-old students who come to four-year institutions right out of high school. And there are many more full-time nontraditional students, if you will, attending our institutions than there were five or ten years ago. That's a trend that's not unusual across the country at this point. [Bond]

SENATOR NELSON: Thank you. [Bond]

SENATOR WIGHTMAN: Thank you, Senator Nelson. Senator Pahls. [Bond]

SENATOR PAHLS: Yes, I have a question. You say currently there are 134 beds. [Bond]

STAN CARPENTER: Yes. [Bond]

SENATOR PAHLS: With the renovations, what... [Bond]

STAN CARPENTER: I think we'll move to 138. [Bond]

SENATOR PAHLS: In other words, you will have more. [Bond]

STAN CARPENTER: We'll have four more beds, I believe, if the configuration all works out that way. Yes. [Bond]

SENATOR PAHLS: Okay. And you're doing this to...partly because of the competition between your peers. [Bond]

STAN CARPENTER: Well, clearly we know that students look for residence halls that are modern and comfortable. And this residence hall is a wonderful old building, so, yes, that's part of it. But also we need to bring it up to code for, you know, HVAC and fire/life safety, and so on and so forth...electrical. [Bond]

SENATOR PAHLS: Okay. And another thing that I picked up on here is it says "to serve a wider range of campus meetings." This building is going to be utilized for more than just...? [Bond]

STAN CARPENTER: Yeah. There are meeting spaces in the building, and there are groups that meet downstairs in the lobby area or downstairs in the basement in the--I don't know what we call that area--but the commons area. So by renovating that and making it more accessible, you know, wheelchair accessible and so on and so forth, and making it more attractive, students can use that building for more than just a

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

Executive Board Committee
October 06, 2010

residence hall. [Bond]

SENATOR PAHLS: Okay. Okay, so in other words, this can be still primarily used for and by students. It's not going to be another place where the faculty... [Bond]

STAN CARPENTER: No, no. This is directed at students, for student groups and so on and so forth, and not for our faculty. [Bond]

SENATOR PAHLS: Thank you. [Bond]

SENATOR WIGHTMAN: Thank you, Senator Pahls. Senator Christensen. [Bond]

SENATOR CHRISTENSEN: Thank you, Mr. Chairman. When you said it would be 138 beds, will you be able to occupy more of those if people still like the private style, or will you be in the same...? [Bond]

STAN CARPENTER: Well, I suppose it would depend a bit on the market. We know that we are pretty close across the system to having 100 percent available rooms occupied. And if we are looking at demand saying students want to live on campus, we will have to reduce probably the number of single rooms that we make available now. Or we will have to substantially increase the cost to those rooms to generate enough revenue. It's a good position to be in. But I am going to guess, Senator, that we would probably move to the concept of having two students in a room rather than one, because we believe in the value of having students live on campus and the education that goes on outside of the classroom. But that's where we are at this point. [Bond]

SENATOR CHRISTENSEN: So you expect occupancy to be up, then? [Bond]

STAN CARPENTER: Yes, we do. [Bond]

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

SENATOR KARPISEK: Thank you, Senator Wightman. Senator Christensen stole most of my question but do you know how much premium the single room pays? Is it 1.5? [Bond]

STAN CARPENTER: It varies across our institutions, but generally it's about 1.5 times. And we've had discussions about increasing that to twice the rate, because it seems to make sense if we're losing that kind of revenue. So as you might guess, there are some differing opinions across the system about that particular issue. But we are in the process of talking about that, and we'll probably move to a systemic answer in the next year on that question. [Bond]

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

Executive Board Committee
October 06, 2010

SENATOR KARPISEK: Thank you, Senator Wightman. [Bond]

SENATOR WIGHTMAN: Thank you, Senator Karpisek. Any other questions? Yes, Senator Heidemann. [Bond]

SENATOR HEIDEMANN: You use an increase of 4 percent for your...in room rates. Is that standard for what you're planning for, for bond purposes? I've seen 3 percent before. [Bond]

STAN CARPENTER: Well, I think the 4 percent is kind of a generalization. It depends on where we are in terms of our economic needs and what we think we can generate and what we think, frankly, what the market will bear without turning students away. So it's kind of a goal or a mark for us to think about and shoot at. But it could go higher or it could be lower depending on how things shake out, Senator. [Bond]

SENATOR HEIDEMANN: Okay. [Bond]

SENATOR WIGHTMAN: Thank you, Senator Heidemann. Any other questions? If not, do we have... [Bond]

SENATOR PAHLS: I'd just like to add, I have to commend the recruiter from--right now her name escapes me--from the Omaha area for Wayne State, because she has been talking to my son, and my son has been impressed with the information that she's been relaying on. [Bond]

STAN CARPENTER: Well, that's good news to hear. They've really...Wayne has focused on that in the last several years, and found somebody very good to be in Omaha. And that's a big market for Wayne, at this point, as well as for Peru. Thank you, Senator. I appreciate hearing that. [Bond]

SENATOR WIGHTMAN: Do we have a motion? [Bond]

SENATOR NELSON: Mr. Chair, I'd like to move that we approve the issuance of these funds. [Bond]

SENATOR WIGHTMAN: Okay, we have a motion by Senator Nelson that we approve the issuance of the bonds. Do we have a second? [Bond]

SENATOR PAHLS: I'll second it. [Bond]

SENATOR WIGHTMAN: Senator Pahls seconds. Roll call vote. [Bond]

JESSICA SHELBURN: Senator Wightman. [Bond]

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

Executive Board Committee
October 06, 2010

SENATOR WIGHTMAN: Yes. [Bond]

JESSICA SHELburn: Senator Nelson. [Bond]

SENATOR NELSON: Yes. [Bond]

JESSICA SHELburn: Senator Christensen. [Bond]

SENATOR CHRISTENSEN: Yes. [Bond]

JESSICA SHELburn: Senator Fischer: absent. Senator Flood. [Bond]

SENATOR FLOOD: Yes. [Bond]

JESSICA SHELburn: Senator Karpisek. [Bond]

SENATOR KARPISEK: Yes. [Bond]

JESSICA SHELburn: Senator Langemeier. [Bond]

SENATOR LANGEMEIER: Yes. [Bond]

JESSICA SHELburn: Senator Pahls. [Bond]

SENATOR PAHLS: Yes. [Bond]

JESSICA SHELburn: Senator White: absent. Motion carried. [Bond]

SENATOR WIGHTMAN: Motion carried. [Bond]

STAN CARPENTER: Thank you very much. Appreciate your... [Bond]

SENATOR WIGHTMAN: Thank you. I didn't ask if there were other testifiers. Item 2 is redistricting issues, and Cynthia will be visiting with us on that. Welcome. We're going to talk about some special issues that are going to affect our budget with regard to redistricting, which as you know, is going to hit us pretty heavy starting in, in January, and probably more so as we go through the session. So you can go ahead and... [Redistricting]

CYNTHIA JOHNSON: Ready? Actually what I wanted to do was kind of catch you up on where we are with regard to the equipment that you've asked us to purchase for use by senators and staff members during redistricting, and also by a back-up person to help

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

Executive Board Committee
October 06, 2010

our GIS staff member. And the computers...there's three computers we ordered, two printers--and they are in. And we're in the process of getting them unpacked and the Information Technology Center will help us install them. And at that point we...I think we have a purchase order with Senator Wightman to purchase the software that will go on those computers. And we will be testing that...installing it, testing it, doing some training ourselves on it during the month of October. And then I'm hoping that during the month of November we can start training your staffs or you, whoever wants to come down for training, on using the redistricting software that you'll be using during the redistricting session next year. I do have a question specifically in relation to the software that we need to install on the systems with regard to population figures. We have two options basically. One is to just load the population data from the 2000 census, which is the most recent population count that we have. And we can load that into the system and it'll...you can practice with that just as well as with anything. We do have the option, however, of loading some population figures that are based on estimates that have been done by ESRI, which is the company that does the GIS software. I hesitated to just go ahead and have Jack, our GIS fellow, start using that because there's a bit of a potential downside to that, which is that I want to make sure that people understand that those figures are 1) estimates, and 2) they're not from the Census Bureau. So what I want to avoid is anyone using those estimates, which are, in fact, probably more up-to-date than the 2001 census figures that we have. But if we use those, and then our 2010 census figures come in next year and they're significantly different, I mean I don't...basically don't want people to get the false impression that what we have now is what we're going to have then. Apart from that it doesn't really matter which population data that we load. So you can practice equally well with either. The advantage of the more recent estimates is that you are probably dealing with a more realistic picture in terms of what the population of the state of Nebraska is going to look like next year when the population figures come in. The downside of that is that people may be disappointed or otherwise concerned that the numbers that eventually come in don't match what they were practicing with, so. That's my question, is which would you like us to load? [Redistricting]

SENATOR WIGHTMAN: We'll discuss that. Senator Flood. [Redistricting]

SENATOR FLOOD: I don't know if now is the time, Mr. Chairman, but, you know, I guess I think we need to give some direction to Research as to where we're at on these issues, and I think--some of us have talked about it--I think that we should load the 2009 information on the computers and put a disclaimer up above the computers to make sure that anybody using the system knows exactly that this...that we make no representation or warranty that these are the numbers, but we felt this was a better way to...I mean, when Beau McCoy potentially has 70,000 people in his district because of growth in west Omaha, I'd rather play around with numbers that are more lifelike than 2001. So if it's okay, I'd make a motion that we direct the Legislative Research Division to load the 2009 numbers into the system, provided there's an appropriate, in your

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

Executive Board Committee
October 06, 2010

opinion, disclaimer. [Redistricting]

SENATOR CHRISTENSEN: Second it. [Redistricting]

SENATOR WIGHTMAN: Do we have a second? Senator Christensen. You had your hand up. [Redistricting]

SENATOR NELSON: Yes. Thank you, Mr. Chairman. The ESRI, as you call it, that would have taken into account the growth, if we've had growth, over the last nine years,... [Redistricting]

CYNTHIA JOHNSON: Yes. [Redistricting]

SENATOR NELSON: ...wouldn't it? So it's going to be quite a bit more accurate or probably pretty representative, and then we're just talking about one year's growth, perhaps here, that we'd be off. So it seems to me like, you know, I am certainly in accord with the motion that we ought to use that, unless you have any adverse thoughts. [Redistricting]

CYNTHIA JOHNSON: Well, our GIS fellow did a comparison of the ESRI data or the ESRI estimates with the Census Bureau estimates that we have by county. And they're analogous in many instances. In some instances...I think I noted in the letter that what he noticed was that the ESRI figures seemed to indicate less of a decline in population in the rural areas than maybe the Census Bureau's figures or their estimates are showing. So that's the only real significant thing. And it wasn't startling; it wasn't a startling difference. But there are...we can make the comparison with the Census Bureau's estimates as far as the county lines are concerned because that's what we have from the Census Bureau as far as estimates are concerned right now. We don't have them down, the estimates down to the level that we need them to actually do the practicing for redistricting, so that's what they're available...ESRI has those available, so. [Redistricting]

SENATOR NELSON: Thank you. [Redistricting]

SENATOR WIGHTMAN: And we probably would have a statewide estimate for 2010, but the problem is then our counties aren't going to match because we really don't know what the counties...but you can almost look at the figure and project 1,810,000 for 2010, because the growth pattern has been .5 to .6 percent each year, I think. But the problem is then your counties aren't going to match because we aren't going to have anything to base that on for the additional year, but. [Redistricting]

CYNTHIA JOHNSON: Right. [Redistricting]

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

Executive Board Committee
October 06, 2010

SENATOR WIGHTMAN: So the service you're talking about, Cynthia, is a service other than the Census Bureau that we would be using for 2009. [Redistricting]

CYNTHIA JOHNSON: It's the company that does the GIS software, basically the geographic software. They have people on their staff that do estimates, I guess, because it's sort of the business that they're in. But so it's...the software that they make is the geographic software that we use, the system that the GIS people rely on to do their work. On top of that will sit another set of software that's called AutoBound, which is made by another company. That's what you do redistricting with. So it's like an underlying level and then the AutoBound sits on top of that. So it's the first level...for some reason they do estimates. [Redistricting]

SENATOR WIGHTMAN: Okay, we have before us...anybody else? We have before us...Senator Karpisek. [Redistricting]

SENATOR KARPISEK: Thank you, Senator Wightman. When will we get the actual...the 2010 numbers? [Redistricting]

CYNTHIA JOHNSON: The drop-dead date for the Census Bureau to deliver it is April 1. Last time, we got them about the middle of March. [Redistricting]

SENATOR KARPISEK: Okay. Thank you. [Redistricting]

SENATOR WIGHTMAN: Which doesn't give us a lot of time when we have final figures to work with. [Redistricting]

CYNTHIA JOHNSON: No, it's not. [Redistricting]

SENATOR WIGHTMAN: So a lot of this work is going to have to be done on probably the estimates. And then I don't mean that's your final work, but it's going to give you a pretty clear indication I think. [Redistricting]

CYNTHIA JOHNSON: Well, as Senator Flood said, it should give you a much better... [Redistricting]

SENATOR WIGHTMAN: Picture. [Redistricting]

CYNTHIA JOHNSON: ...indication in those areas where there's really been a dramatic change, than if you went back to the 2001 data, so. [Redistricting]

SENATOR WIGHTMAN: Anything else before we vote on the pending motion? So we have a motion by Senator Flood, seconded by Senator Christensen, to use the 2009 estimates that's been referred to in setting up the experimental run, I guess, with regard

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

Executive Board Committee
October 06, 2010

to the redistricting. Let's just do a voice vote. All in favor say aye. [Redistricting]

COMMITTEE MEMBERS: Aye. [Redistricting]

SENATOR WIGHTMAN: Opposed. Motion carried. Now we have other issues that you brought up, including five things you'd like direction on, I think. [Redistricting]

CYNTHIA JOHNSON: Yes, the other questions are probably just some of them that will arise. But the questions that I've posed here on the second page of the letter that I wrote to Senator Wightman are issues that you'll need to deal with next year as well. So it's the sort of thing that you might as well get started on now in terms of how we manage the practicing process with senators and staff coming into our office. And one of the first questions that we have, based on our experience last year, is who gets access to the machines? Is it just senators and staff? Or do you want to allow senators and staff members to bring in outside people, either constituents or political party representatives or lobbyists? That's something we need to know in order to wrangle the process. So that's a decision that needs to be made. [Redistricting]

SENATOR WIGHTMAN: What have you done in the past, say 2001? [Redistricting]

CYNTHIA JOHNSON: It was just senators and staff. [Redistricting]

SENATOR WIGHTMAN: Senator Flood, you had your hand up. [Redistricting]

SENATOR FLOOD: Yeah, I appreciate...that was going to be my question, about how it worked in 2001. Could you just briefly go through these five points and tell us...you know, read the question and then give us the answer from 2001. [Redistricting]

CYNTHIA JOHNSON: Sure. The first one is: Who should get access to training and the computers--all staff and senators, designated staff and senators, etcetera? Everyone had access the last time. Anyone who wanted to have training could get it and anyone who wanted to have access could get it. [Redistricting]

SENATOR WIGHTMAN: All senators and staff. [Redistricting]

CYNTHIA JOHNSON: All senators and staff. [Redistricting]

SENATOR WIGHTMAN: Okay. [Redistricting]

CYNTHIA JOHNSON: (2) Are any individuals external to the Legislature to be allowed access to the computers? If so, under what circumstances? That did not happen in 2001. It was just restricted to senators and staff members. (3) Should certain people--senators or designated staff--have preference over others in terms of

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

Executive Board Committee
October 06, 2010

scheduling training and computer time? We did not have such a system in place last time. We didn't have any problems with it, without making those kind of preferences. But depending on how you want to set the system up, it's something you might want to consider. What we saw was that certain...a lot of people took the training but in the end there weren't that many staff members and senators who actually did hands-on with the machines. So I don't think it was a problem in terms of getting people scheduled in. If everybody wants to do it, then we could have a problem. And there may be some people who are more important to the process than others are, and you might want to do something about it then, depending on ultimately what happens. I don't anticipate that's going to be a problem, I don't think, during the practice sessions, but it could be. (4) Should we limit (a) the size, and (b) the number of maps that can be printed during practice sessions in order to save money on color ink cartridges and paper? The printers that we ordered to go with the two senators/staff work stations are black and white printers. So that's not really an issue. The issue is when people want to use the color printer to print larger maps or even to use the plotter, because that starts to get very expensive, very quickly, when you're using toner, when you're using color toner. It really is quite expensive. So if...I don't...the problem I could envision happening is someone coming in, making a map, and then wanting 50 copies of it in color. And this is the sort of thing that we can do a policy for, but I don't know if you want to have a voice in that or not. It's just an issue that could come up--one of those housekeeping types of issues. [Redistricting]

SENATOR WIGHTMAN: What would be the cost for colored copies? Do you have any figure like that, that would help us? [Redistricting]

CYNTHIA JOHNSON: Do we know the answer to that, Deb? [Redistricting]

DEB EMMONS: Deb Emmons, deputy director of Research. Right now, I think we pay about 7 cents for an 11x17-size map on our color copy. And the ink cartridges are \$65 for the stand-alone that prints 11x17. And I think they are \$60 per color for the plotter. And then your paper runs about \$60 a roll. And you can probably get about 40 maps on a roll of paper, if that's helpful. [Redistricting]

SENATOR WIGHTMAN: So you're talking a few dollars on each map by the time you allocate that cost over... [Redistricting]

CYNTHIA JOHNSON: Yeah, it's an issue if people start wanting lots of color maps. [Redistricting]

SENATOR WIGHTMAN: Senator Karpisek, I think maybe you...did you have your hand up? [Redistricting]

SENATOR KARPISEK: No. [Redistricting]

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

Executive Board Committee
October 06, 2010

SENATOR WIGHTMAN: Senator Nelson. [Redistricting]

SENATOR NELSON: Thank you, Mr. Chairman. Wouldn't it be possible to limit the number of color maps? Rather than get 40...you know, I'd limit it to 5 or 10 per request, or something. Wouldn't that save quite a bit of money on the color? [Redistricting]

CYNTHIA JOHNSON: Um-hum. Yes. [Redistricting]

SENATOR NELSON: I mean, why would anyone need 40 or 50? [Redistricting]

CYNTHIA JOHNSON: Well, if they wanted to...if they had a citizens' group that they wanted to hand them out to. It's not...it's the sort of request that it wouldn't surprise me to get. So it's just a matter of, can we just use our judgment in terms of saying to a senator or a staff member: That's probably too many; can we accommodate you by doing maybe something else, either black-and-white maps or smaller color maps? This is the sort of picayunish detail that I don't know if you want to get involved in, but it's there. It is an issue and it's got to do with cost. And I don't have a problem telling someone that we can't do that and we can't print that many, but I just need to know if you're okay with my doing that. [Redistricting]

SENATOR WIGHTMAN: Another possibility, I would think, if we can determine the cost, and if your department or your division is set up to handle revenues, is that they could offer to pay for those if they wanted a large number. Is that a possibility, or not? Say, that you're going to speak to a citizens' group that had 30 people and you'd like to have one to pass around, could you come up with a figure that might be fair reimbursement? [Redistricting]

CYNTHIA JOHNSON: We do have a policy that has to do with people who come from the outside and want to purchase maps. Now that's a policy that we've put into place ten years ago, and it probably should be revisited. So, yes,... [Redistricting]

SENATOR WIGHTMAN: You could do that. [Redistricting]

CYNTHIA JOHNSON: ...we could do that. And that is probably something that actually we need to do at some point, because...and it's more of an issue...well, let me say it's an issue that is ongoing even after redistricting, because people call and want maps all the time, and so...we probably should have a price scheme for certain kinds of maps that people commonly request. [Redistricting]

SENATOR WIGHTMAN: That seems to me to be a... [Redistricting]

CYNTHIA JOHNSON: Now as far as the staff, we can't charge them. [Redistricting]

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

Executive Board Committee
October 06, 2010

SENATOR WIGHTMAN: Yeah. [Redistricting]

CYNTHIA JOHNSON: I mean, we can't... [Redistricting]

SENATOR WIGHTMAN: Well, it could be...it could be even senators who are going to be speaking to the group, that they could pass that information on, I think. [Redistricting]

CYNTHIA JOHNSON: I suppose they could use...you could use campaign funds to purchase maps, couldn't you, or...? [Redistricting]

SENATOR WIGHTMAN: Well, that's possible too, I think. Senator Flood. [Redistricting]

SENATOR FLOOD: If it's...okay, I guess as far as the per-price of the maps, I think that's a much smaller issue than the access to the computer. In 2001, when you had the senators and staff only...okay, let's say Senator Jones--I'm just picking a name. Senator Jones comes down. What if he had somebody from a political party with him? Is that allowed? Okay, so...and I'm okay with that. So when you're saying access to the computers, it would just be for the senator or for the staff; nobody else was allowed to be present. [Redistricting]

CYNTHIA JOHNSON: Correct. Correct. [Redistricting]

SENATOR FLOOD: Okay. [Redistricting]

CYNTHIA JOHNSON: And that's a policy you need to make. [Redistricting]

SENATOR FLOOD: Yeah, I agree. [Redistricting]

CYNTHIA JOHNSON: I don't want to make that policy. That's really one... [Redistricting]

SENATOR FLOOD: What I think...and I think along those lines, as the Executive Board of the Legislature right now, having our authority limited until the next Legislature comes in, we're making a policy for the period between now, and the reconstitution of this board and the starting of the Redistricting Committee. Because I think the Redistricting Committee will have jurisdiction over those types of issues after they start. So I guess maybe to answer some of the early questions, I'd make this motion, and it's going to be kind of involved, that we...I move to limit any and all access to the computers to currently serving senators or members of the Legislature and their professional staff that work in the building for the Legislature. I also move that we do not let any individuals external to the Legislature have any access to the computers during this time between now and whenever the Redistricting Committee gets going or when the One Hundred Second Legislature starts. Number three: And there shall be no preference for any

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

Executive Board Committee
October 06, 2010

member of the Legislature over another...and that no preference for a legislator or staff, I mean. And also part of my motion: That we limit the number of maps that a member can get, number of color maps, to less than one color map per day, and ask that the...well, let me strike that one-color-map bit. I'm actually fine with whatever you all want to do on that. I don't want to get into that with my motion. [Redistricting]

CYNTHIA JOHNSON: It's the sort of thing that...I mean we can go ahead and kind of monitor it. [Redistricting]

SENATOR FLOOD: Yeah. [Redistricting]

CYNTHIA JOHNSON: And then if we get into...if we start having a problem with it, I can talk to Senator Wightman. Is that okay? [Redistricting]

SENATOR FLOOD: Yeah. I'm... [Redistricting]

CYNTHIA JOHNSON: That is pretty... [Redistricting]

SENATOR FLOOD: I'm going to strike the business on how many maps you can get and just go with my other things. That's my motion. [Redistricting]

SENATOR WIGHTMAN: Okay. So in two parts, basically: Limit it to senators and staff, and no external person outside the Legislature would be included. [Redistricting]

SENATOR FLOOD: And no preference. [Redistricting]

SENATOR WIGHTMAN: And no preference. So basically three issues I guess. [Redistricting]

SENATOR LANGEMEIER: Would you entertain an amendment to your motion? [Redistricting]

SENATOR FLOOD: Um... [Redistricting]

SENATOR LANGEMEIER: I'll second it and then... [Redistricting]

SENATOR FLOOD: Yeah. [Redistricting]

SENATOR LANGEMEIER: Can I amend that, when you say professional staff, to LAs? I mean if we have one person from an office plus the senator. [Redistricting]

SENATOR FLOOD: I'm fine with LAs doing it, except that in the event that a member doesn't have an LA and only has an AA for whatever reason, then I think the AA should

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

Executive Board Committee
October 06, 2010

have the authority to use it. [Redistricting]

SENATOR LANGEMEIER: Okay. I'll withdraw it. [Redistricting]

SENATOR CHRISTENSEN: Or you could go to one designated staff. [Redistricting]

SENATOR LANGEMEIER: That gets to a be a pain for them to figure out who is designated and who isn't. [Redistricting]

SENATOR CHRISTENSEN: Well, list it as... [Redistricting]

SENATOR WIGHTMAN: I think it would be very limited that an AA would probably be doing it, at any rate, but I certainly see the issue. [Redistricting]

SENATOR FLOOD: I think that's fine if you want to put that in: the member's LA. [Redistricting]

SENATOR LANGEMEIER: I'll withdraw it. I'll second his motion. [Redistricting]

SENATOR WIGHTMAN: Okay. We have a motion and second. Any further discussion? Senator Karpisek. [Redistricting]

SENATOR KARPISEK: Thank you, Senator Wightman. I just want to make sure we're straight. Do we run any problems, that it being state property, that we don't let a constituent use the machine? [Redistricting]

CYNTHIA JOHNSON: I think that's in the motion. [Redistricting]

SENATOR CHRISTENSEN: That's in the motion. [Redistricting]

SENATOR WIGHTMAN: Senator Flood. [Redistricting]

SENATOR FLOOD: I guess my reaction to that would be we are the people's representative, and to the extent that somebody from Madison County wants me to look at the boundaries around my legislative district, I've got a duty as their representative to provide them the information. I don't think...you know, if you think it's an open records issue, you should know that we restrict access to Bill Drafters to the extent that you have to have authority to go up there and get a bill from a senator. I think it's a legitimate restriction, and we have an interest, as a branch of government, to get our work done without having to share it with 1.7 million people. [Redistricting]

SENATOR WIGHTMAN: And maybe even to protect our equipment, software and hardware. [Redistricting]

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

Executive Board Committee
October 06, 2010

SENATOR FLOOD: Yeah. [Redistricting]

SENATOR KARPISEK: And I agree. I'm just trying to make sure what (inaudible).
[Redistricting]

SENATOR WIGHTMAN: Clarify. [Redistricting]

SENATOR KARPISEK: (Inaudible) problem. [Redistricting]

SENATOR FLOOD: Yeah. [Redistricting]

SENATOR KARPISEK: The other issue I was going to ask is, can you send an e-mail of
the map that you've drawn to your own computer rather than printing? [Redistricting]

CYNTHIA JOHNSON: You couldn't use it...you can send a pdf copy but you
couldn't...you don't have the software on your home computer, I don't think, to
manipulate it. [Redistricting]

SENATOR KARPISEK: Right. [Redistricting]

SENATOR FLOOD: But you could send a pdf. [Redistricting]

SENATOR KARPISEK: But instead of printing one and taking it home and looking at it,
just send it to the computer. [Redistricting]

CYNTHIA JOHNSON: Yes, you should be able to make a pdf copy and send that.
[Redistricting]

SENATOR KARPISEK: I think that would limit the number of copies we make. Okay,
thank you. [Redistricting]

SENATOR WIGHTMAN: Thank you. Senator Langemeier. [Redistricting]

SENATOR LANGEMEIER: And then one other comment, and we would ask that you
remind them that if you're going to print 50 copies of a map that has irrelevant data on it,
I mean what's the point anyway? So. [Redistricting]

CYNTHIA JOHNSON: Yeah. That...again that's...yeah. But you know...yeah, keep in
mind that what we're doing mostly right now is practicing. I mean that's what they should
be doing probably. But I know that there's obviously an interest in what the population is
and where it's grown and where it's declined, and that's going to come into play. But the
whole point right now is to practice and get up to speed on it, so. [Redistricting]

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

Executive Board Committee
October 06, 2010

SENATOR WIGHTMAN: Okay, any other...yes, Senator Nelson. [Redistricting]

SENATOR NELSON: I think we're talking about practice. And just as Senator Flood said, this goes until the Redistricting Committee is formed and then things may change at that point... [Redistricting]

CYNTHIA JOHNSON: Right. [Redistricting]

SENATOR NELSON: ...with regard to access and things. So we're really talking about this practice session here through December, so. [Redistricting]

CYNTHIA JOHNSON: Right. Could I ask you a question? When you said in your motion "professional staff," do you mean...what do you mean by professional staff? [Redistricting]

SENATOR FLOOD: I meant the senators' professional staff. You know, I...sometimes senators have a campaign intern or something like that. [Redistricting]

CYNTHIA JOHNSON: Okay. So it could be AA, LA, or committee counsel or research analyst? [Redistricting]

SENATOR FLOOD: Um... [Redistricting]

SENATOR WIGHTMAN: The committee counsel, particularly. I don't know who serves as... [Redistricting]

SENATOR FLOOD: I think any of that is...I mean I guess professional staff would be inclusive to include any staff member that is employed by the Legislature that works for a senator. [Redistricting]

CYNTHIA JOHNSON: Okay. [Redistricting]

SENATOR WIGHTMAN: Anyone else? If not, let's do a voice vote initially, and if it appears there's division, we'll do a roll call vote, but. So you've heard the motion. It's kind of in three parts, that basically that it be limited to senators or staff, and no preferences, no external use outside of the senators and their staff. All in favor say aye. [Redistricting]

COMMITTEE MEMBERS: Aye. [Redistricting]

SENATOR WIGHTMAN: Opposed. Motion carried. [Redistricting]

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

Executive Board Committee
October 06, 2010

CYNTHIA JOHNSON: Okay. And there's one final issue. (5) Last time we developed some written procedures within the office that we used to sort of guide the process. For example, I think we limited sessions to an hour per staff member. Do you want us to prepare something like that now? Not that you'd have to make the decisions on everything, but we probably should have some housekeeping types of guidelines, like how long can somebody sit at the...they had to call and make an appointment. We kept a list. We limited the amount of time they could be in any one session so that we could fit everybody in. And the computers were very busy, so it's something that you have to manage. You can't just let people come in, in a free-for-all. [Redistricting]

SENATOR WIGHTMAN: Without a motion, can we just pretty much say that you have the... [Redistricting]

CYNTHIA JOHNSON: Yeah, I can go ahead and do that? Okay. [Redistricting]

SENATOR WIGHTMAN: ...you have the authority to develop some procedures. And I suppose if there's a question, bring them to me and we'll probably be having board meetings so we can cover that at that time. [Redistricting]

CYNTHIA JOHNSON: Okay. [Redistricting]

SENATOR WIGHTMAN: One thing that was said about this practice that we would be going to be doing, actually isn't that practice going to be in effect until we get the official figures, which will be well beyond the start of the session, isn't it? Well, maybe, you're right, Senator Flood. You earlier referred to perhaps the Redistricting Committee may have power to overrule this, and it becomes their issues. But nevertheless, we're looking at something a lot longer than just the commencement session, it would appear to me, because we're not going to have the actual figures on until you get that,... [Redistricting]

CYNTHIA JOHNSON: Right. [Redistricting]

SENATOR WIGHTMAN: ...and you indicated that could be mid-March, so. [Redistricting]

CYNTHIA JOHNSON: Right. [Redistricting]

SENATOR WIGHTMAN: Any other...Senator Christensen. [Redistricting]

SENATOR CHRISTENSEN: On your hour max, is that per office, or can a staff have an hour and a senator the following hour? [Redistricting]

CYNTHIA JOHNSON: Sure. It's on an individual basis. And they could come back. It's

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

Executive Board Committee
October 06, 2010

not that they had an hour, period. It's just that to keep somebody from sitting there all afternoon, so that we could give everybody a chance to access the equipment we limited then to an hour as I recall. [Redistricting]

SENATOR WIGHTMAN: But if there's nobody set up the following hour, they probably could just continue into it anyway, so. [Redistricting]

CYNTHIA JOHNSON: Yes, they could certainly...yeah, exactly. [Redistricting]

SENATOR WIGHTMAN: Okay. Senator Heidemann. [Redistricting]

SENATOR HEIDEMANN: So you already have the 2010 broken down to county, is that correct? [Redistricting]

CYNTHIA JOHNSON: There are Census Bureau estimates for 2009. [Redistricting]

SENATOR HEIDEMANN: But not... [Redistricting]

CYNTHIA JOHNSON: There are...ESRI--that's the other company that we're going to load... [Redistricting]

SENATOR HEIDEMANN: Right. [Redistricting]

CYNTHIA JOHNSON: They have estimates broken down further than county, down to voting precinct and census block based on estimates for 2009. [Redistricting]

SENATOR HEIDEMANN: Okay. [Redistricting]

SENATOR WIGHTMAN: So there's nothing for 2010. [Redistricting]

CYNTHIA JOHNSON: No, not yet. [Redistricting]

SENATOR WIGHTMAN: You could do a statewide, but it would be very difficult, I think, to do counties. [Redistricting]

SENATOR HEIDEMANN: I thought you had indicated it was already broken down, 2010, to the county. [Redistricting]

SENATOR WIGHTMAN: No. [Redistricting]

CYNTHIA JOHNSON: No. 2009, the county level. The Census Bureau estimates are on the county level, and the last one that we have is 2009. [Redistricting]

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

Executive Board Committee
October 06, 2010

SENATOR HEIDEMANN: Okay. I misunderstood. Sorry. [Redistricting]

SENATOR WIGHTMAN: Any other questions for Cynthia while she's up? I guess we've already taken care of all of the issues with regard to a separate motion, so. [Redistricting]

CYNTHIA JOHNSON: Thank you. [Redistricting]

SENATOR WIGHTMAN: Is there anybody else that is going to address the committee on this? Thank you. [Redistricting]

CYNTHIA JOHNSON: Yes. [Redistricting]

SENATOR WIGHTMAN: Item 3 is a big item but we've used a lot of our time. We only have Legislative Issues Symposium issues after that, so I think we'd better get into (3) in earnest, very quickly, which is the Legislative Council budget that we need to set, and that's separate and apart from the LR542 issues that we're going to be looking at this afternoon--not to say there's not going to be some overlap. There will be, but. First, we'll be listening Tom Bergquist, first, and then to Diane, and they'll be presenting most of what we're going to be looking at here, so. I guess they're coming together so our questions can be directed to either one. [Budget]

SENATOR HEIDEMANN: This isn't going to go good then. (Laughter) [Budget]

SENATOR WIGHTMAN: So with that, Tom, if you would start, and I guess either one of you feel free to jump in at any time. [Budget]

TOM BERGQUIST: Okay. I wanted Diane and Janice to help in here. Let me start out with, as Senator Wightman talked about, the LR542. Let me take a quick minute. As the Exec Board, you guys are kind of in a different interesting situation. You have about three roles when it comes to all this. The first role is you're a state agency. At this point, you're a state agency. You're the Exec Board and the head of the state agency. The first role is then submitting the requests and the modification. The second role you'll be serving this afternoon is you actually will be a standing committee looking at an agency under the LR542 process. So that's a different hat that you wear. After that, most of you will serve another role as individuals. Members of the Appropriations Committee will be setting the budget. You guys will then be voting on the budget. The last role the Exec Board will have is back again as a state agency actually implementing the appropriation that has been given you. So those are the roles. Today, the role this morning is as a state agency submitting the budget request document. [Budget]

SENATOR WIGHTMAN: Thank you. [Budget]

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

Executive Board Committee
October 06, 2010

TOM BERGQUIST: As we got into this, as we've done traditionally, each division submitted a request and turned it in to Janice and Senator Wightman. So the programs, each of the divisions did their own requests. Diane and Janice worked on Program 122 Legislative Services and 501 Intergovernmental Cooperation. So that's...the information that comes before you in this document here--if you can all turn to this one. This is the requests that were put together by the divisions. Also Janice and Diane, I helped a little bit on 122 and 501. They did both...basically my role in this is I take the compilation. I compile it, put together this little summary, which is a little bit like what we end up doing as Fiscal Analysts with the Appropriations Committee. I also indicated they also did the same with the modifications in terms of the modifications. That will be later on in the document. Each of the divisions did their own modifications. Even though it can be done and the instructions are at an agencywide level, for purposes here it was done at the division level. And Program 122 and 501 added together, the modifications, they are not specified. There's a dollar amount and there's a listing of different options. That's another one of the tasks this morning for the Exec Board is to specify those to some extent. Again recalling this is the part, as a state agency, that's turning this in at the beginning of the process. Quickly, page 1--I think you've had this for a little while--I probably won't spend a whole lot of time. Table 1 just summarizes the total, the current appropriation, and the request for the next two years based on the data that was submitted. Probably the place to concentrate, I think, is Table 2. Table 2 on page 1 pretty much isolates all the changes from the current year appropriation up to the two years of the requests. The pages following that include some narrative description of the major items 1-6. I tend to look at it as really two different...three different major areas. The first one is Item 1: replacing the use of the carryover funds. This has been an issue that we've had virtually every time, biennial budget that we submit. The request assumes no reappropriation of an unexpended balance. That number constitutes how much money of our carryover we're actually using with the new...in addition to our new appropriation amount. As I indicated, I tend to look at that sometimes as an alternate fund source, like a cash or federal funds. We've had this issue with other agencies where we reappropriated all the unexpended balances. The big difference in our case is, that carryover has two different components to it. One component is used to supplant new appropriation money. Another part of the carryover is used to supplement. What we've done with most of the agencies is the reappropriation was given to agencies to supplement their new appropriation level. In our instance, this goes clear back to the beginning of the biennium. Our new appropriation rate is \$17,550,000 right now. It was understated by the idea that we would also use carryover. So initially the reappropriation was to do two things. Part of it was to supplant new appropriation and then the remaining part was to supplement. So this is the biggest part of the request. It includes about 70 percent of the items. Number 2 is just what it says. These are items, and they've listed them out on page 3, that the Exec Board had done during this biennial budget as to reduce the appropriative savings--things to do to save money. Most of these instances...well, in all these instances it was for this current biennium were actions taken--not necessarily a permanent action. So Janice and Diane, in putting this

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

Executive Board Committee
October 06, 2010

together, since those technically weren't identified as a permanent change in policy or reduction, so these dollar amounts are showing back up as an increase. The last major area...oh, excuse me. I'm sorry. [Budget]

SENATOR WIGHTMAN: Senator Flood, go ahead. If we can, just... [Budget]

SENATOR FLOOD: On the items on the top of page 3, do we...we're not obligated to ask that those be restored. I mean, is that...would that be...? I mean, I don't know if I'm comfortable voting to say we should immediately restore these cuts, given the situation with the state's income. [Budget]

TOM BERGQUIST: Yeah. I mean, if these aren't in the request, that we don't take these into request, these were items we did to offset our current cuts. If we don't put these back in, then you'd either have to redo these or do something else in all likelihood. [Budget]

SENATOR WIGHTMAN: So if we didn't ask they all be restored, we would have found \$201,000. But we'd look at them item by item. Am I right? [Budget]

TOM BERGQUIST: Yeah. Yeah. So the \$200,000 is we did this to offset some of the 200...the cuts. When we went from our original new appropriation down to the \$17,550,000 and some of the other things, reducing the carryover. These were budget actions that were taken to save money. So, yeah, if this money...if this \$200,000 isn't added back to the new appropriation amount, then we'd either have to continue doing these items or find \$200,000 somewhere else. [Budget]

SENATOR FLOOD: So by leaving them in our budget request, we have the opportunity to reduce those expenses again. [Budget]

TOM BERGQUIST: Yes, and actually they...yeah, yeah. [Budget]

SENATOR FLOOD: Could that be explained a little bit better in that paragraph, you know? [Budget]

TOM BERGQUIST: Well, putting in these dollar amounts would, in essence, be restoring these amounts. If you added...you'd have to add this money back to our number, our current... [Budget]

SENATOR FLOOD: As part of our request. [Budget]

TOM BERGQUIST: Yes. Our current appropriation is \$17,550,000. We're saying in addition to that you'd have to add another \$200,000 on top of that to replace...we did these to save money. We did these to live within that \$17,550,000 new appropriation.

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

Executive Board Committee
October 06, 2010

[Budget]

SENATOR FLOOD: I guess my question is, do we want to ask that our...that we restore cuts when we're asking every other agency in the state to cut? [Budget]

SENATOR WIGHTMAN: And we'll have to make that decision sometime this morning. Senator Heidemann. [Budget]

SENATOR HEIDEMANN: Give me a thought here, Tom. Wouldn't it be better to put these back in? You could use them in the LR542 process to cut it back, full well knowing that these things probably will be cut eventually. But it would be better to actually request it at the present time. [Budget]

TOM BERGQUIST: Well, if you're requesting them now, basically you'd be doing is...if this went into the request and both the Legislature and Appropriations said, no, we're not going to restore them, we're not going to fund...we're not going to add \$200,000 back in, then, yes, you'd have to come back and either reenact these as a policy...when you come back in your role as the agency administering the appropriation as enacted, you would say, we're \$200,000 short so we either have to redo these things or find something else to make up for it. [Budget]

SENATOR HEIDEMANN: And if you put them in the request right now, you could use them as a modification, is that correct? [Budget]

TOM BERGQUIST: Yeah, I mean... [Budget]

DIANE NICKOLITE: Correct. [Budget]

TOM BERGQUIST: Right. Because the modification...the modification--and when we get to that sometimes there's a little confusion. The modification is the difference between the request and 10 percent below your current year level. So a lot of times the first thing that's going to be on your modification might be those things that were in your request. So, yes, if I put this in, then probably the first thing as a modification, which we do show that, is, okay, we take it back out. [Budget]

SENATOR FLOOD: Well, I'm fine with that. I'm fine with that explanation. I guess I think...I'd like something to put in the document that basically says we recognize times are tough; these are issues the Exec Board needs to...these are continuing issues the Exec Board will consider in the next session because, you know. [Budget]

SENATOR WIGHTMAN: This document would never be distributed, supposedly, outside of this body anyway--the committee--would it, or? This document is just for our aid and... [Budget]

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

Executive Board Committee
October 06, 2010

TOM BERGQUIST: It's on the...it would go into the...the DAS budget has a Web site.
[Budget]

JANICE SATRA: This document, Tom, though? The explanations in this document, no.
[Budget]

TOM BERGQUIST: Oh, no. No, no, no. No, not this document. Excuse me. No.
[Budget]

SENATOR WIGHTMAN: So as far as the language in the document itself, that's only for
our review. [Budget]

TOM BERGQUIST: Yes. Yeah. [Budget]

SENATOR WIGHTMAN: But at any rate... [Budget]

JANICE SATRA: What shows up on the DAS Web site is just the actual request
numbers. [Budget]

TOM BERGQUIST: Right. [Budget]

JANICE SATRA: Correct. [Budget]

TOM BERGQUIST: The other items--and I lumped them...well, I had them separate
these out...oh, I'm sorry. [Budget]

SENATOR WIGHTMAN: Just a minute. Senator Heidemann. [Budget]

SENATOR HEIDEMANN: I do just want to make sure you know what you're getting
yourself into, so that when...and then I think that we need to do this, and I'll put these
right out front, but when we are replacing those carryover funds it's going to make it look
like we're requesting a lot of new money. Correct, Tom? [Budget]

TOM BERGQUIST: Yeah. I mean it's all going to look like we're requesting a lot of new
money. Because of that first issue, alone, it makes it appear like the request is high.
[Budget]

SENATOR HEIDEMANN: Okay. [Budget]

TOM BERGQUIST: But yes, your... [Budget]

SENATOR HEIDEMANN: This is an issue that, if you remember, we deal with, we deal

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

Executive Board Committee
October 06, 2010

with, we deal with. It has never been taken care of. It probably will not be taken care of, to be right truthful, during tough times, but it dang well ought to be when the times get better sometime. [Budget]

TOM BERGQUIST: The number one issue...the first one, yeah. [Budget]

SENATOR HEIDEMANN: Yes. [Budget]

SENATOR WIGHTMAN: But when we're talking about making it permanent, that's kind of a misnomer, too, because we're really talking about extending it for two years during the next biennium, aren't we? [Budget]

TOM BERGQUIST: Right. Yeah. Yeah. [Budget]

SENATOR WIGHTMAN: Yeah. Somebody hand their hand up? [Budget]

SENATOR LANGEMEIER: So as the Governor has asked all the agencies to bring in preliminary budgets, and, you know, we've...I've learned more about the budget than probably should of, anyone wanted me to, through this LR542 study. And they all came in with lower requests than last year. If we put that all back in, and I'm sure most of that is going to come right back out, don't we just look just the counter to that, by saying we want more? [Budget]

TOM BERGQUIST: Well, some did and some didn't. (Laugh) [Budget]

SENATOR LANGEMEIER: Mine all did. [Budget]

TOM BERGQUIST: Depending on whether they're classified as a... [Budget]

SENATOR HEIDEMANN: Depending on what kind of agency you have. [Budget]

SENATOR LANGEMEIER: Yeah, mine did, but I know some who didn't because I've looked at others. [Budget]

TOM BERGQUIST: Yeah. And there were some that...yeah, they came in at a relatively flat level. There were some things in the request that probably belonged in a modification, but that's...that's my opinion. [Budget]

SENATOR WIGHTMAN: Okay. Any other questions about those issues, the issues we discussed today, I guess at that point? [Budget]

TOM BERGQUIST: I was just going to say, in the last three with the Items 3, 4, and 5 are all technology-related issues. They are new items: replacing the computers, some

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

Executive Board Committee
October 06, 2010

server issues. Dick Brown is here. He had me throw in the request, and they are requested items that we need to do. The computers is going to be one of those issues that it's getting closer and closer to being a major issue. They are currently, what, eight years old? Our laptops and stuff are eight years old. And... [Budget]

DICK BROWN: Desktops. [Budget]

TOM BERGQUIST: Desktops. And if we don't do anything pretty soon, they will be ten years old, and it's (laugh)...so as they are starting...we've been lucky up to this point that these have actually been really good. [Budget]

SENATOR WIGHTMAN: Okay. [Budget]

TOM BERGQUIST: But that's pretty much it on the request side. Janice, did you want to...do we want to go to... [Budget]

JANICE SATRA: Do you want to continue to talk about the document as a whole or take a motion and do it on the request, or do you want to, first, talk about the modifications also, get the big picture, then come back and revisit your motions? [Budget]

TOM BERGQUIST: I can do that. On page 5, it starts with the modifications. And again, as I was telling you about, earlier, the modifications is the step 2 in the budget request process. First, you come up with your budget request. That starts the item that is your request level. The question on the modifications that basically we're asking is, here's what you had requested; what happens if you only got 10 percent below your current year. I'm not going to give you your request. I'm not even going to give you your current new appropriation. I'm going to give you 10 percent less than that. So whatever the difference is in that dollar amount, you have to identify as issues. In a lot of instances here, those items that you list as a modification may, in fact, be part of those...that was the increase in your budget, because we're asking...so replacing the computers, that was in the request. So in terms of a modification, that's one of those items which is the difference between 10 percent below my current year and my request level. So not everything in the modification list is going to be necessarily a cut from the current year level, and that's what you'll notice on those. [Budget]

SENATOR WIGHTMAN: It would be a cut from what we're requesting right now as you propose on Table 1. [Budget]

TOM BERGQUIST: Yes, as it goes into the request. So the replacing of the computers, those computer projects, they're in the request. So if I'm looking at modifications, what happens if you got 10 percent less than the current year and not your request? Well, the first thing in a lot of cases is I wouldn't replace the computers. That new item that I put in the budget would be the first thing that I would not do. Then as I start creeping down,

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

Executive Board Committee
October 06, 2010

then I start getting into the items on the 10 percent cut. That's what these identify here. The first...for example, on starting on page 5 is Legislative Services and Intergovernmental Cooperation. There's... [Budget]

SENATOR WIGHTMAN: Senator Pahls has a question, well. [Budget]

TOM BERGQUIST: Oh, I'm sorry. [Budget]

SENATOR PAHLS: You're normally outside looking in. Doesn't it look like I inflated the budget so that I could back and cut it? Am I misinterpreting that? [Budget]

TOM BERGQUIST: Well, you're still having to come up with something that's between my current year and 10 percent less. [Budget]

SENATOR PAHLS: Okay. [Budget]

TOM BERGQUIST: So if I add more things, I can put them in my request but I also then show it as a modification. See, the key is modifications aren't...don't necessarily are all cuts. We don't...I mean, a lot of times...yes, people want to look at them all as cuts, but they aren't all cuts and they never were when we started this process back in the mid-80s. It was always an identification of the difference between your request and 10 percent less, so. [Budget]

SENATOR PAHLS: But I'm still thinking, though...and maybe it's because my mind isn't geared into this right now, but if I'm looking at this from the outside, not dealing with this body here, it looks like what I've done is I've inflated the budget. I mean that's how...I was...it would appear. Now I'm going to back and cut, but I'll be cutting my inflated. [Budget]

TOM BERGQUIST: If you were looking...if you think...if your thought process is everything in the modification is considered as a cut, if that's my bottom-line thought process that all modifications are cuts, then you're correct. But that was never the part of the issue. One of the reasons was a lot of times an increase doesn't automatically become a modification. You know, if I'm asking for \$300,000 to replace computers, that could be in the request and I could say, okay, if you didn't give me my request and gave me 10 percent less, the first thing I wouldn't do is replace computers. If I had \$300,000 in there because my rent went up \$300,000, and that was part of my request, I can't just say I'm not going to pay rent. So that \$300,000 is in my request, which means then I may have to come up with some cuts equaling \$300,000 because I can't put that on the cut list or on the modification list. But, no, you're right, if my thought process is everything in the modifications is a cut, then, yeah, you're...it does look like you're cutting something from out of the request. But that's not how we end up using the...in the process. [Budget]

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

Executive Board Committee
October 06, 2010

SENATOR WIGHTMAN: Senator Heidemann. [Budget]

SENATOR HEIDEMANN: Just to maybe clarify a little bit more. If somebody was to inflate their budget just so that they would use that for modifications, the Fiscal Office would pick up on this. [Budget]

TOM BERGQUIST: Yeah. [Budget]

SENATOR HEIDEMANN: It's what they do. [Budget]

TOM BERGQUIST: And if they inflated it and put something over there...so if I inflated it and put something in my request and I put it over here as a modification, it doesn't do anything to keep them from having to identify those items between 100 percent of my current year and 10 percent less. That doesn't really change that. [Budget]

SENATOR HEIDEMANN: We don't look very kindly on people that would do that, in Appropriations. [Budget]

TOM BERGQUIST: And it really wouldn't serve any purpose, frankly. [Budget]

SENATOR WIGHTMAN: Go ahead, Tom. [Budget]

TOM BERGQUIST: What it does do, in some instances you actually have somebody that's requesting something new. And when we ask them to prioritize, they may find out that that new item they're requesting is actually a higher priority than continued funding of something else that they're currently doing. That was...really part of the process was to make them...if there's something you want to do, new, and then I can actually put that as a listing as a priority thing, that's more important than these three or four things that I'm already doing. Again, these were done at the division level, except for Program 122 and 501. As part of putting my hat back on in the Legislative Fiscal Office, we asked...we tell the agencies: You can do these at an agencywide level; they don't have to be done by a division or by a program level. Traditionally we have done them at the division level. And then 122 and 501 have been done. So it's up to the Exec Board how they would choose to do that. At this point, we've just laid it out at the division level. In terms of 122 and 501, we've shown those increased amounts. Again those are part of the increase, so they are the first things to come out. And then... [Budget]

SENATOR WIGHTMAN: And basically is it fair to say, Tom, that this afternoon when we're looking at LR542, we'll be looking at much of this same information in determining where LR542 recommendations or cuts might be made. [Budget]

TOM BERGQUIST: Right. And LR542, to make up the difference, modifications is the

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

Executive Board Committee
October 06, 2010

difference between the request and 10 percent less. LR542 is basically just looking at the 10 percent less. So they may be one in the same thing. Sometimes they may not be. Normally, one is at an agency's perspective and the other is the standing committee's perspective. In this case...and that may be individual to an agency. LR542 may be overall a grouping of agencies. In this case, the standing committee and the agency are one and the same, and there's only one agency, so. (Laugh) [Budget]

SENATOR WIGHTMAN: Senator Langemeier. [Budget]

SENATOR LANGEMEIER: Thank you, Chairman Wightman. If we submit a budget and then don't do the modification, who's going to come yell at me? [Budget]

TOM BERGQUIST: Larry. (Laugh) [Budget]

SENATOR LANGEMEIER: Larry Who? [Budget]

TOM BERGQUIST: Bare. (Laughter) No. No, I don't know... [Budget]

SENATOR LANGEMEIER: Okay, then we don't...then we don't do it. [Budget]

TOM BERGQUIST: No. I don't know who would. [Budget]

SENATOR WIGHTMAN: Basically this budget we submit will... [Budget]

SENATOR HEIDEMANN: It's not in statute because everybody does it except the University of Nebraska. [Budget]

TOM BERGQUIST: It's not in statute and it's part of the budget process. [Budget]

SENATOR HEIDEMANN: Everybody does it. [Budget]

SENATOR LANGEMEIER: If they don't do it, why should we do it? [Budget]

SENATOR HEIDEMANN: Because it's the right thing to do. [Budget]

TOM BERGQUIST: Actually the Legislative Fiscal Analyst... [Budget]

SENATOR HEIDEMANN: It gives the Appropriations... [Budget]

TOM BERGQUIST: The Legislative Fiscal Analyst might, you know...(laugh). [Budget]

SENATOR HEIDEMANN: It gives the Appropriations Committee an idea of what your priorities are. [Budget]

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

Executive Board Committee
October 06, 2010

SENATOR LANGEMEIER: But they're going to get our LR542 stuff then, shortly, anyway. [Budget]

SENATOR HEIDEMANN: So you're going to adopt your modifications for your LR542 process and go home? [Budget]

SENATOR LANGEMEIER: There you go. [Budget]

TOM BERGQUIST: The one task this morning is...if I could turn to page 6, again looking at these as doing them on a division basis, you have a set dollar amount that's applicable to Program 122 and 501. We've listed out those increased items that we would first take out. That leaves you, in line 9, at the top of page 6, that the target amount is \$965,000. That we simply show as unspecified. The items (a) through (m) are examples of things...they're examples of things that you could do to achieve that \$965,000 level. I mean, they total up more than that, but those are the types of items that you would be looking at in order to come up with that \$965,000 item. [Budget]

SENATOR WIGHTMAN: So... [Budget]

TOM BERGQUIST: Uh-oh. Uh-oh. (Laughter) [Budget]

SENATOR FLOOD: I'm looking at this number 9, thinking how the heck are we going to do that? [Budget]

TOM BERGQUIST: I'm going to go get my laptop. (Laugh) [Budget]

SENATOR WIGHTMAN: Anything else you want? [Budget]

TOM BERGQUIST: No, I'll just. I... [Budget]

SENATOR WIGHTMAN: The \$965,000, if we were to try to come up with cuts, this is an array of things that would probably total \$5 million or \$6 million, or more, that we could look at in arriving at \$965,000. [Budget]

TOM BERGQUIST: I don't recall what we had two years ago. The modification...this process has been going on for a long time. It's just getting a little more attention this time around. [Budget]

SENATOR WIGHTMAN: Other questions? Senator Pahls. [Budget]

SENATOR PAHLS: Yeah, one simple question: Who has had privy to this document? [Budget]

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

Executive Board Committee
October 06, 2010

SENATOR WIGHTMAN: So far, you mean? Or will have? [Budget]

SENATOR PAHLS: Yeah. No, I mean, just us? Because I... [Budget]

TOM BERGQUIST: Yeah. We have not submitted the request document, but... [Budget]

SENATOR PAHLS: Okay. Because I'm just seeing, you know, like, on number 9 through...I mean that could cause turmoil. [Budget]

TOM BERGQUIST: And so will the other lists. And so well that when you specify the unspecified, yes, it... [Budget]

SENATOR PAHLS: Right. I mean I'm just...I'm trying...I know there will be turmoil, but, I mean...my imagination could go wild here. [Budget]

TOM BERGQUIST: The key... [Budget]

SENATOR WIGHTMAN: But this is our personal turmoil. There is going to be turmoil on each one of these things as we go down. [Budget]

TOM BERGQUIST: Right. [Budget]

SENATOR WIGHTMAN: I mean, the Clerk of the Legislature, Patrick, will probably will visit with us a little bit later, but, you know, that's going to cause great turmoil within his staff, just as this...the only thing is, this is a little more personal in that we're going to be looking in the eye of our personal staff on these. But...and Legislative Research and certainly the Ombudsman and everyone involves the same turmoil in a different office. Senator Flood. [Budget]

SENATOR FLOOD: You know, I guess here's my perspective on this, and you guys tell me what you think as it relates to what I say. But I think that we are ill-prepared to go through every division today, when this should have been in September 15. Obviously we've had some reasons why it's not. But I think, with the exception of Program 122, we should accept what our managers have given us in terms of potential cuts. The end decision with always be ours, but we're unprepared to determine, in an hour, whether the Clerk's Office or the Ombudsman's Office should do this or that. So I guess I would propose--and this is a motion--I'd propose that we accept the division managers', you know, reports, and pass them on as part of this process, and then we decide on Program 122 what that \$965,000 is going to look at. And as it relates to Program 122, you know, not only do we have to provide this information, but we also have a duty to maintain some morale in this place. You know, nobody knows if it's a 10 percent cut or a 2 percent cut. So I would ask that when we arrive at whatever it is in Program 122, that

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

Executive Board Committee
October 06, 2010

we make it very clear to our employees in the Legislature that we had to identify some options under that program. But, you know, nobody knows the budget figure, and the Executive Board makes no representation or warranty that this is going to be the end result. You know, this would only come after consultation with all of our staff and all of our members. I guess I don't want some member to wake up tomorrow morning and say, wait a second, you just did this or this or this; I haven't had a chance to talk to you about it. So I think we need to be very careful in how we communicate with our membership so they understand that we had to pick a number. But it means nothing more than we had to pick a number and we'll go through this more fully. Because two years ago we sent something down and it had "get rid of AAs" on it, you know. [Budget]

JANICE SATRA: Right. [Budget]

SENATOR FLOOD: And it didn't...it wasn't an issue because at that time nobody thought we would be getting rid of AAs. This all has more significance. So that's my position to help direct the conversation, if that all helps, but I do think as it relates to the other divisions we should accept what the managers have given us as potential options. Because I don't think we have the time to go through each division and figure out whether we need an auditor or the secretary or somebody else. [Budget]

SENATOR WIGHTMAN: Senator Pahls. [Budget]

SENATOR PAHLS: I would like to speak to you, Senator Flood, just to make sure I understand where you're coming from. Okay, so if we go ahead with approving the 122 and number 9, this will be made public that this is what we're looking at? I mean, I know the rumors out there are some of these things on this item. But then this will be made...I don't want to make it sound like this is so scary, because it is things we're going to be taking a look at, but...so it'll come...it's...our staffs will be able to say these are the exact things that we may be looking at. Is that what you're telling me? [Budget]

SENATOR FLOOD: Well, I think as it relates to Program 122, we have to pick off of this list enough of these to get above \$965,000. [Budget]

SENATOR PAHLS: Okay. [Budget]

SENATOR FLOOD: So I think that's why we have to be very clear to our staff that... [Budget]

SENATOR PAHLS: This is still in the... [Budget]

SENATOR FLOOD: ...this is up for discussion at the highest level, and we are making no warranty that this is what we have all decided. Because if we decide as a group to clip off some group of staff, we have furlough days in progress and now we have a

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

Executive Board Committee
October 06, 2010

morale issue with our own people. And we are...we are different than another agency because, you know, we're not only policymakers, we're the...we would make personnel decisions. [Budget]

SENATOR PAHLS: Right. [Budget]

SENATOR WIGHTMAN: Yeah. Our committee is looking at this differently than any other committees, because they're all looking at...almost all of them... [Budget]

SENATOR FLOOD: I should have said that. We're different than any other committee. [Budget]

SENATOR WIGHTMAN: Right. [Budget]

SENATOR FLOOD: Not agency. We're like an agency. [Budget]

TOM BERGQUIST: As I was saying earlier, I think a key to this is the three different roles that you serve. Really the one that really is going to end up counting is when you come back late next year, before July 1, and are doing votes to actually implement the appropriation that's actually been adopted. That's the one when you actually vote to do something that that's actually going to happen. At this point it's going into the beginning of the process as we go through the whole entire next session. Yeah, and lots of agencies have been doing that. They're putting things on there, and it's like we're doing this because we have to do this, not necessarily that they're suggesting that we do this. But it...and that's what the process is, is if you got 10 percent less. [Budget]

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

SENATOR NELSON: Thank you, Senator Wightman. In light of the motion, looking ahead a little bit, we've got a target figure here of \$965,000. Now you move down to the Clerk 123, and Research 126, is there a target figure there that they have? Or are these just possible cuts? [Budget]

TOM BERGQUIST: Yeah, those are if we apply the process, which is...taking the current appropriation, there's a couple adjustments you make in comparing that to the request and less 10 percent. It's as if what we apply at the agencywide level, we applied it to each of those different divisions. [Budget]

SENATOR WIGHTMAN: So this \$1,010,000 for the first year of the biennium is 10 percent of each of those items? Or not? [Budget]

TOM BERGQUIST: The \$1,010,000 on the Clerk's Office? No... [Budget]

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

Executive Board Committee
October 06, 2010

SENATOR WIGHTMAN: With the \$1,010,000, if we look at the individual items: reduce transcribers, that is a 10 percent cut on that item, or is that...? [Budget]

TOM BERGQUIST: Well, that's the difference between the request and 10 percent. So, no, not...there's other items inside of their requested items. Again, like I said, if you had a requested increase, you would take that out, and there's a handful of those items that are listed inside the... [Budget]

JANICE SATRA: So, for example, on Program 123, the Clerk's target was \$1 million. [Budget]

TOM BERGQUIST: Yes. [Budget]

JANICE SATRA: Right. For the first year. [Budget]

TOM BERGQUIST: But that was the difference between the request and 10 percent below the current year. So that number is going to be higher or lower depending on what's in the request. [Budget]

JANICE SATRA: On the previous page. Yes. [Budget]

TOM BERGQUIST: Yes. [Budget]

SENATOR WIGHTMAN: It's a combination of the increases that we'd be rolling back and the 10 percent. It would be added together to get to that figure. [Budget]

TOM BERGQUIST: Yes. Right. And like I said before, that isn't exactly 10 percent in every case because it's the difference between the request and 10 percent less. [Budget]

SENATOR NELSON: So let's take number 1: reduce transcribers, there. That's assuming that that reduction has been made and that would leave you \$196,000. I don't understand what... [Budget]

PATRICK O'DONNELL: You know, since it's my shop, can I talk about it? [Budget]

TOM BERGQUIST: Yeah. Yeah. [Budget]

PATRICK O'DONNELL: I guess I'd kind of like to be able to offer input here. Senator, I'm not sure what you're asking. Would you...? What you need to understand here is that that million-dollar figure represents what I had to come up with for the Clerk's operation only. If you flip over to the next page, you'll see a figure of \$2,948,000. That's what the Legislative Council has to come up with to satisfy the modification number.

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

Executive Board Committee
October 06, 2010

[Budget]

SENATOR NELSON: Right. All right. [Budget]

PATRICK O'DONNELL: So that...the reduction of transcribers, for example, that 5.6 FTE, is not necessarily a 10 percent reduction in terms of the total number of transcribers. I make value judgments in terms of what I think we need to do in terms of role, core and mission kinds of activities, okay? I can tell you that what that represents, what that means to you is that all the committees and their committee clerks will now do their committee transcripts. I'm taking the transcribers out of that business, so that all 14 standing committee chairs' obligations will fall upon those committee clerks to create those records, which have been done by the transcribers, will...and so there are consequences to all these things. And that's... [Budget]

SENATOR NELSON: And that will be savings then of \$196,000. [Budget]

TOM BERGQUIST: Yes, sir. Correct. [Budget]

SENATOR NELSON: All right. So all the rest of them down, they all add up to \$1,010,000. [Budget]

TOM BERGQUIST: Yes, sir. [Budget]

SENATOR NELSON: Okay. And these are your recommendations that we'd be approving if we're going to have...if your target is \$1,010,000, these are the things that you would probably... [Budget]

PATRICK O'DONNELL: I will not characterize them as recommendations. [Budget]

SENATOR WIGHTMAN: (Laughter) Senator Flood. Well, no, are you finished? I don't want to cut you short. Thank you, Senator Nelson. [Budget]

SENATOR NELSON: No, thank you very...yeah, this is set up just a little different than we are looking at 122. [Budget]

SENATOR FLOOD: I think Senator Nelson asked a good question. I think that was a good response there. This is...these are options that would have to be seriously considered if we ended up cutting that much money out of the budget. I don't want anybody in the Legislature to view, in our legislative staff to view any of these options as a for-sure. Because nobody even knows what the number is and we won't until April. We'll have no idea what our number is. And coexisting with us is the LR542 process, which is supposed to be looking at different ways to make our agency efficient...our branch more efficient. So I guess I think that to maybe take a step forward in the

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

Executive Board Committee
October 06, 2010

conversation, I think...I move to accept the recommendations of all of the divisions, with the exception of Program 122, understanding that these are options that our managers have identified but not stating that these are the things that we are going to do. Because we've got to get it documented. That's my motion. [Budget]

SENATOR WIGHTMAN: I guess...well... [Budget]

SENATOR PAHLS: I want to say "heavy on the options." [Budget]

SENATOR FLOOD: Yeah. [Budget]

SENATOR PAHLS: ...because I'm telling you...you know, I've been here before and in another world, and when people start seeing these things, they believe it's going to happen to them whether it's the furthestest thing that's going to happen. I just want to make sure that point is shared. [Budget]

SENATOR WIGHTMAN: Okay. And do we have a second before we have further discussion, or not? [Budget]

SENATOR PAHLS: I'll second it. [Budget]

SENATOR WIGHTMAN: Okay, we have a second. So we have a motion by Senator Flood; it's seconded by Senator Langemeier. Now we're open for discussion...what? Or by Pahls. Okay, excuse me. [Budget]

SENATOR LANGEMEIER: I have a question. [Budget]

SENATOR WIGHTMAN: Yes. Senator Langemeier. [Budget]

SENATOR LANGEMEIER: Patrick, because you came out...if I can have you come back up again? [Budget]

PATRICK O'DONNELL: Yes, sir. [Budget]

SENATOR LANGEMEIER: If we take this option here, would it be safe to say we've ruffled the feathers of every employee in this building? [Budget]

PATRICK O'DONNELL: Well, you would certainly... [Budget]

SENATOR LANGEMEIER: I mean is there somebody out there that isn't on here that can sit back and say, ooh, I'm high and dry; I wasn't on that list? [Budget]

PATRICK O'DONNELL: In terms of...? [Budget]

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

Executive Board Committee
October 06, 2010

SENATOR LANGEMEIER: Concern about this list coming out. [Budget]

SENATOR WIGHTMAN: Angst. [Budget]

PATRICK O'DONNELL: Well, I think that answer depends, Senator, in large part on what you do in 122. I mean 122 is your staffs and the committee staffs. So what you identify as this \$965,000 number, you will necessarily exclude certain groups of employees from that, so they're going to feel like they've gotten a pass. Okay? I hope that's helpful. [Budget]

SENATOR LANGEMEIER: But we're not going to deal with 122 in this motion yet, but... [Budget]

PATRICK O'DONNELL: Okay. That's okay. [Budget]

SENATOR LANGEMEIER: But in all these other agencies, would...and just because you came up, I'm picking on you here, but... [Budget]

PATRICK O'DONNELL: All right, that's fine. I appreciate having a chance to respond. [Budget]

SENATOR LANGEMEIER: I could have one at a time come up, but in a nutshell I guess we don't want to send a message out that says we're getting rid of AAs because we don't want all our AAs to go home tonight and cry all night. [Budget]

PATRICK O'DONNELL: Right. I can appreciate that. Sure. [Budget]

SENATOR LANGEMEIER: Because it's not something that we're prepared to actually make that final this session. But in this motion, as we take all these other agencies, do they all go home saying, well, I guess they're going to look at our jobs too? I mean can everybody walk out of the building and say, dang it, they're going to look at our job? [Budget]

PATRICK O'DONNELL: Well, I mean, I think if they're paying attention they do. And I don't want to...Senator Pahls, you asked a good question. I had a staff meeting yesterday. I sat down everybody that works for the Clerk's operation and I said: Here's what the list is. And if you don't think that causes heartburn and headaches and great anxiety--and I know you understand that and you're absolutely right in your assessment. And once this list gets out there, you are going to have anxiety about this. But in response to you, Senator Langemeier, I think you're right. If you're not...if you're a legislative employee and you're looking at cutting \$3 million out of a budget, if you don't think that you're vulnerable, you're crazy; you're just not paying attention and you

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

Executive Board Committee
October 06, 2010

probably shouldn't be here if you're that naive. So I think people going home tonight should be sensitive...or tomorrow or whenever you guys, whenever the board submits it to the DAS as part of our budget submission process. If people look at this and they see that, I can't help but think they would conclude that we've got a real problem and I may be vulnerable as a result of it. But that's the reality you find yourselves in, so I don't necessarily think that's...I don't want to say it's not a bad thing. It's a hard thing. But that's what you all are dealing with. [Budget]

SENATOR LANGEMEIER: Thank you. [Budget]

SENATOR WIGHTMAN: Thank you. Anyone else? We have a motion and a second. Now for clarification to me: We would actually submit this as our budget request if we're going to do this, it seems to me, all of them except 122, because it takes all those... [Budget]

JANICE SATRA: But we're going to address 122 next. [Budget]

SENATOR WIGHTMAN: Well, we will do it next. [Budget]

JANICE SATRA: Right. Yes. [Budget]

SENATOR FLOOD: My motion only concerns the 90/10 modifications as it relates to the six divisions without Program 122. [Budget]

SENATOR WIGHTMAN: Okay. But that would be our budget request. Senator Heidemann, you can... [Budget]

SENATOR HEIDEMANN: Yes, that will be, I mean, but I just want to make sure that are going to address 122 later on, otherwise... [Budget]

SENATOR WIGHTMAN: Right. [Budget]

DIANE NICKOLITE: It won't accept the budget without it matching--the modification matching the amount. [Budget]

SENATOR WIGHTMAN: Okay. [Budget]

JANICE SATRA: And we haven't had a motion unless I missed it. [Budget]

SENATOR FLOOD: No. You just have a motion on the six divisions. [Budget]

JANICE SATRA: Right. But nothing on the budget as a whole... [Budget]

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

Executive Board Committee
October 06, 2010

SENATOR LANGEMEIER: Right. [Budget]

SENATOR FLOOD: Right. [Budget]

JANICE SATRA: ...or the request as a whole. I'm sorry. Okay. We're just taking a piece of the pie right now. [Budget]

SENATOR WIGHTMAN: Okay. Any...Senator Pahls. [Budget]

SENATOR PAHLS: And I just have...just because I want to make this clear to myself: If we approve this, this is the public domain. If I'm a newspaper writer, I'll have access to write this mama up. Am I wrong? [Budget]

SENATOR FLOOD: You're right. [Budget]

SENATOR PAHLS: Okay, I just...that's all I need to know. [Budget]

SENATOR WIGHTMAN: Any further discussion? If not, we'll...Senator Langemeier, excuse me. [Budget]

SENATOR LANGEMEIER: With that said, I think the article, though, says that we are looking at everything as possibilities. [Budget]

SENATOR PAHLS: Okay, I just wanted to... [Budget]

SENATOR LANGEMEIER: It doesn't...the article doesn't come out and say we picked a certain area. [Budget]

SENATOR PAHLS: Okay. [Budget]

SENATOR WIGHTMAN: Any further questions? If not, I think we'll have a roll call vote on this motion. [Budget]

JESSICA SHELBURN: Senator Christensen. [Budget]

SENATOR CHRISTENSEN: Yes. [Budget]

JESSICA SHELBURN: Senator Flood. [Budget]

SENATOR FLOOD: Yes. [Budget]

JESSICA SHELBURN: Senator Karpisek. [Budget]

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

Executive Board Committee
October 06, 2010

SENATOR KARPISEK: Yes. [Budget]

JESSICA SHELBURN: Senator Langemeier. [Budget]

SENATOR LANGEMEIER: Yes. [Budget]

JESSICA SHELBURN: Senator Pahls. [Budget]

SENATOR PAHLS: Yes. [Budget]

JESSICA SHELBURN: Senator Wightman. [Budget]

SENATOR WIGHTMAN: Yes. [Budget]

JESSICA SHELBURN: Senator Nelson. [Budget]

SENATOR NELSON: Yes. [Budget]

SENATOR WIGHTMAN: Motion carried. With that, I don't know. At this point we can't very well go back to the division chairs because we've covered their issues, but we'll be looking at our legislative staff at this point, so. Is there anything else we need to cover before we go to legislative staff? [Budget]

SENATOR KARPISEK: Senator Flood. [Budget]

SENATOR WIGHTMAN: Is there anything that anybody sees we need to go to before we visit the issue of legislative staff? [Budget]

SENATOR FLOOD: Well, I think after we do legislative staff, we do... [Budget]

SENATOR WIGHTMAN: We do a budget as a whole, I guess. [Budget]

SENATOR KARPISEK: But nothing before we go to that? [Budget]

SENATOR FLOOD: Right. [Budget]

SENATOR WIGHTMAN: Nothing preliminary to that. [Budget]

SENATOR FLOOD: If we want to talk about Program 122, I've got an idea and I'm just throwing it out there. [Budget]

SENATOR WIGHTMAN: Okay. [Budget]

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

Executive Board Committee
October 06, 2010

SENATOR FLOOD: And if you've got your sheet open to page 6, and you can just circle these and then I think Lavon has maybe got a little different approach. If you took option (a), (b), (c), (d), (e), (g), and (h). [Budget]

SENATOR WIGHTMAN: Would you run through that again if you would? [Budget]

SENATOR FLOOD: (A), (b), (c), (d), (e), (g), and (h). Let me just add that up here. Oh...and there's one more. I had selected (m), which gets you to about \$1,001,000. And I don't like (m) as an option. [Budget]

SENATOR HEIDEMANN: I don't think either does Diane. (Laughter) [Budget]

SENATOR FLOOD: But I don't like any of the options. [Budget]

SENATOR PAHLS: That would make life easier, won't have to worry about (inaudible). [Budget]

SENATOR HEIDEMANN: In reality, that's not an option. I mean it's not. [Budget]

SENATOR PAHLS: Well, not a total option. [Budget]

DIANE NICKOLITE: Not a total option. [Budget]

SENATOR WIGHTMAN: But without (m) we're only at about \$700,000? We're higher than that, aren't we? No, maybe not. You've taken out that \$623,000, I guess. It's off...not one of those that you proposed: (f). [Budget]

SENATOR FLOOD: And I guess the reason I offered this is it relates to the broader issue of committee clerks, counsels, administrative assistants. I really see the LR542 process investigating those issues more in depth. It relates to a large portion of our staff. We have questions right now about staffing patterns. And I guess to come in, carte blanche, and say we're going to eliminate all AAs, you know, seems very radical, just like coming in and getting rid of accounting seems radical. But, you know, our mission today is to get to \$965,000, and I think those are all options on the table. You know, maybe we do (k) instead of (m), you know. My motion says those--and I'll see if it's seconded--and I'm up...I wanted to start the discussion somewhere. [Budget]

SENATOR WIGHTMAN: Senator Heidemann. [Budget]

SENATOR HEIDEMANN: I'll just throw it out. I'm not trying to disagree with Senator Flood by any means, because that is an option. Back to remembering, this is just something that we go through. This isn't what's going to end up. I know we're going to put this out there. It's going to catch people's attention. But the Appropriations

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

Executive Board Committee
October 06, 2010

Committee gets hold of this. They have their opinions on it. The body as a whole has their opinion on it. And then this committee gets back together and decides what we're going to do in the end process. I would say, take the cuts that we restored, which should be \$200,000--help me out here with the figures, Tom. [Budget]

TOM BERGQUIST: Those are all part of it before you get to the \$965,000. [Budget]

SENATOR HEIDEMANN: So you can't get the... [Budget]

TOM BERGQUIST: You can't count that as part of it. That's...you'd have to do those and \$965,000. [Budget]

SENATOR HEIDEMANN: Okay. That's just makes my job a little bit tougher. (Laughter) [Budget]

SENATOR FLOOD: Well, the other thing I'll say is...we've just approved Program 123 where we reduced transcribers by 5.6. I think it's inconsistent to come in and eliminate option (k)...or select option (k) where we get rid of all the committee clerks. Because you need the committee clerks to do the work, I mean. [Budget]

SENATOR HEIDEMANN: Yeah, but we wouldn't have known this when we did our modifications. We're looking at this, having full well knowing what they have done. [Budget]

SENATOR FLOOD: I don't understand what you're saying. [Budget]

SENATOR HEIDEMANN: If we had done this on a timely fashion, we wouldn't have known what happened with the Clerk of the Legislature. We should have had our modifications put in already, and we...correct, Tom? Maybe I'm... [Budget]

SENATOR FLOOD: We still would have seen the whole document. [Budget]

TOM BERGQUIST: I'm not following either. (Laugh) [Budget]

SENATOR KARPISEK: I am. (Laughter) [Budget]

SENATOR KARPISEK: No, that's probably not a good thing for you, but... [Budget]

TOM BERGQUIST: Since you guys wore the same outfits today, I'm not (inaudible). (Laughter) [Budget]

SENATOR HEIDEMANN: All I'm saying is I know what they're saying... [Budget]

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

Executive Board Committee
October 06, 2010

SENATOR KARPISEK: If we did ours in a vacuum and not seeing their... [Budget]

SENATOR HEIDEMANN: Right. Because the Clerk's Office wouldn't have known...if we would have done that, they would have known about not doing the transcribers because we are doing away with the committee clerks. [Budget]

SENATOR FLOOD: Well, what do you want...I mean, you've got a motion on the table from me. How else do you want to do it? You know, one of the other ways you could do it is you could just take all AAs if you wanted to have a big number, you know. [Budget]

SENATOR WIGHTMAN: Another possibility, I think, would be saying we'd take maybe 5 or 10 percent of some of those figures. Instead of taking it all, we aren't going to eliminate, but we might look for a plan that would cut that particular item by 5 percent or 10 percent. [Budget]

SENATOR FLOOD: Except the inequity as an employer. You've got one senator that's got a half-time AA and you've got another senator that's got a full-time AA. I think, you know, you've got to work with them in a class so that there is equal treatment among the membership. [Budget]

SENATOR WIGHTMAN: Right now, what we do on a temporary basis, isn't everyone allotted one AA and are working with that at the present time? Or are some of them permanent on that? [Budget]

JANICE SATRA: Except for the one-a-day committees have a committee clerk instead of an AA. [Budget]

SENATOR WIGHTMAN: Okay. [Budget]

JANICE SATRA: And a few other offices out there. [Budget]

SENATOR KARPISEK: That was my question: How many have an AA and a committee clerk? [Budget]

JANICE SATRA: Your two- and three-day committees. [Budget]

SENATOR HEIDEMANN: And five. [Budget]

SENATOR KARPISEK: Okay. [Budget]

SENATOR WIGHTMAN: And five-day committees, yeah. [Budget]

JANICE SATRA: Are allowed that through the staffing pattern. [Budget]

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

Executive Board Committee
October 06, 2010

SENATOR CHRISTENSEN: Could you not allow sharing of AAs? You know, one senator has one for four hours in the morning and then that same AA goes to another senator for the afternoon? [Budget]

SENATOR WIGHTMAN: Even if we did that on a voluntary basis, because I think there would be senators who would probably be willing to go with somebody else. I'm presupposing something here, but... [Budget]

SENATOR LANGEMEIER: I'm doing that with Stuthman right now. [Budget]

SENATOR WIGHTMAN: There might be a number of senators who are compatible enough that they could make this work or maybe you have three work for two...or two work for three so that they don't lose quite a half a day. But, quite frankly, rather than say we're taking all of these cuts, I think that looks less realistic than if we took the full amounts, as Senator Flood suggested. If we just said, okay, we'll find 5 percent or 10 percent within some of these, like eliminate all legislative aides, eliminate all administrative aides, and maybe take a higher amount on seeing if we couldn't combine some committee counsels and counsel and committee clerks, and just put a percentage in there at the present time as a... [Budget]

SENATOR PAHLS: Yeah. But, Senator Wightman, are we not in the discussion that we should be having this afternoon? [Budget]

SENATOR FLOOD: I believe so. [Budget]

SENATOR PAHLS: I think what we're talking... [Budget]

SENATOR WIGHTMAN: There is going to be a lot of overlap between what we're... [Budget]

SENATOR PAHLS: Well, no, but I mean what you're saying now, that's what we should be talking...okay, these arrangements that we should be... [Budget]

SENATOR WIGHTMAN: I think we will be discussing those, yeah. [Budget]

SENATOR FLOOD: But I think our mission today is much...the mission this morning is much different. We've got to pick a number and go. [Budget]

SENATOR WIGHTMAN: Right. [Budget]

SENATOR PAHLS: And go and then... [Budget]

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

Executive Board Committee
October 06, 2010

SENATOR FLOOD: And the more we try and arrange it, the more it makes it look like that's our final answer. And I don't think we're anywhere close to a final answer. [Budget]

SENATOR PAHLS: No. [Budget]

SENATOR FLOOD: And I think you compromise the morale in this place if you start talking about a solution before you've really thought it out. I mean if you don't want to do (m), you know, I think your other option...because I took all the easy--the low-hanging fruit--before I got to that. (Laughter) [Budget]

SENATOR PAHLS: So they're fruit now, huh? [Budget]

SENATOR FLOOD: You're not low-hanging. (Laughter) You're substantive. [Budget]

DIANE NICKOLITE: I can hit the delete key on that line. (Laughter) [Budget]

SENATOR FLOOD: But, I mean, you've got to go with something. [Budget]

SENATOR HEIDEMANN: Patrick made a very good point. You don't have to get a... [Budget]

PATRICK O'DONNELL: Okay. [Budget]

SENATOR HEIDEMANN: ...but when you look at morale, I think we need to look at morale through the buildings. And when you do (m) and you don't do (k), there are going to be certain employees in this building that say "they're protecting their turf." And I don't want to say that you're not our turf by any means, but you're not affecting the senators' office. So I would...I don't feel comfortable doing it, but if we do (k) it indicates to everybody that, yes, we're willing to look at how we operate in our senators' office and not just in Accounting and in the Clerk's Office and everybody else. And maybe the employees at that time will think that we are all in this together versus it's them versus us. [Budget]

SENATOR WIGHTMAN: Well, I think there's a lot of truth in... [Budget]

SENATOR PAHLS: Okay, so...just again I'm looking for clarification here. Let's say we would go (k), and then a little later on in our discussion in the afternoon we come up with a configuration that we may be able to work ourselves around that. Is that true? I mean let's say we would go (k), but I'm saying later on today we'd say, oh, maybe this could work, because we could move these certain positions around. Is that...could you buy into that? [Budget]

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

Executive Board Committee
October 06, 2010

SENATOR WIGHTMAN: As a follow-up question, even though we submitted this, we could revise that at any time, can't we? [Budget]

SENATOR PAHLS: That is what I'm saying. I think... [Budget]

SENATOR WIGHTMAN: Couldn't we go in and ask it to be revised, or is that already set in stone? [Budget]

SENATOR HEIDEMANN: The only thing this does right now is kind of give people a thought, which is an untrue thought, of where we're headed, because we don't know where we're headed yet. And all this is just the first step of the process, as Thomas says, until next May and June when we take the amount of money that we get and decide what we're going to do to it. That's when the pain is going to become. [Budget]

SENATOR WIGHTMAN: Senator Flood. [Budget]

SENATOR FLOOD: I'm okay with selecting (k). The only reason I didn't select it, when I went down the list, is I thought it was inconsistent with number 1 in Program 123. And I don't...you know, I'll accept that this isn't a perfect science and I don't think in any world either one of both of those would go. They're both options. But I think we have to resolve...we have to answer the question: Okay, we've just said reduce transcribers by 5.6 FTEs. Okay, now you're getting rid of the clerks in (k)? I mean, the document is then inconsistent as far as legitimate cuts. That's the only reason...I think Senator Heidemann has good reasoning as far as that issue and I think it makes sense. We could go (m) or (k) or whatever else, and it does make it look like we're looking at our own stuff. But is that a big issue? What do you think, Mr. Clerk, as it relates to...you know, how would you see those two reconciled? [Budget]

PATRICK O'DONNELL: Senator, I'm not sure. I'm going in a different thought process, so forgive me. It would seem to me that Senator Pahls, Senator Heidemann, if you want to...first of all, I'm going to start this by saying two years ago, and I think the last several biennial budgets you had listed, as the 122 cut, abolishing AAs. All right? So you've got a track record out there that says we're going to eliminate AA positions. Frankly, and I know this is troubling to you, I think that's appropriate given that everybody is going to feel some pain and everybody is going to take this that much more seriously. I don't think you have to \$1.7 million, but I think you could do 50 percent of that. As Senator Christensen, I think, talked about going to...from...to...you know, 1 to maybe .5. That gets you there. And that makes that...that way everybody has bought into the misery that this process is going to bring them to us but you know what I'm saying. I mean the anxiety and the concern. And I know you don't want to go back to your offices and I know that you don't want the staff to leave, but we have components of staff that are feeling this pain right now. And I guess I'm suggesting to you that maybe some of that staff in 122 ought to feel some of this pain too, some of those people who work in the

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

Executive Board Committee
October 06, 2010

members' offices, or at least be concerned about it. It raises that anxiety level that Senator Langemeier talked about the first time I was up here. [Budget]

SENATOR WIGHTMAN: Actually if we cut it by, say, if we looked at the AAs and said, okay, we're going to be looking at a 30 percent cut, that's \$510,000, which is more than the \$467,000 we're looking at in (m), and then we'd figure out how to get there, you know. Thirty percent would replace (m) if we took 30 percent of that item and then tried to figure out how we could change staffing patterns to get to 30 percent. I think it gives us a lot more flexibility than saying we're eliminating an entire accounting/budget office. But I think Senator Langemeier had his hand up earlier. [Budget]

SENATOR LANGEMEIER: Okay. I have mixed feelings. I mean if you picked (m), I'd feel more comfortable going down to the accounting department and consoling those individuals about how we picked it, and they're all in one room...(laughter)...and assure them that it's there. But on the other hand, is when you look at the outside, it ain't going to happen. I mean you can't get rid of your accounting department, I mean. So are we trying to create a document that's just punching numbers out there? And if we're doing that, that goes back to my original statement as to why do we even submit this? But...and then you get to (j), if you start to say--you know we can all can go console our AAs--and you say we're going to make them all half-time employees, which it gets you about...well, exactly half of \$1.7 million is plenty of money, I think if you're trying to create a document that has some legitimate options, that's probably a legitimate option. I'm not saying that we want to do it; not saying that LR542 is going to come down this path and we're going to make tougher decisions than that. But to complete this document you've got to have some legitimacy to it. And I think what Senator Flood said about going down here and getting rid of transcribers, which we already passed in 123, and then coming back and saying we're getting committee clerks. Again, what's the reality of that actually happening? Probably not. So I think saying take (a), (b), (c), (d), (e), (g), (h), and half of (j), and proposing them all half-time employees, I think is a little more legitimate statement. [Budget]

SENATOR WIGHTMAN But we would...you're suggesting that we would take all of the recommendations except (m)--(a), (b), (c), (d), (e), (g), and (h)? [Budget]

SENATOR LANGEMEIER: My thought would be replace (m) with (j) and half of (j). [Budget]

SENATOR FLOOD: Mr. Chair? [Budget]

SENATOR WIGHTMAN: Yes, Senator Flood. [Budget]

SENATOR FLOOD: I'd move to withdraw my motion and reoffer a new one. [Budget]

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

Executive Board Committee
October 06, 2010

SENATOR WIGHTMAN: Okay. We'll rule the motion is withdrawn. [Budget]

JANICE SATRA: There was no second. [Budget]

SENATOR FLOOD: Yeah, there is no second. Okay, well, why don't we...I move that we take (a), (b), (c), (g), and eliminate...and do Senator Christensen's idea where we have the AA positions double up--so four hours for one senator and four hours for another senator. So I took one-half of that 1.76 million. That gets us to \$992,426. And as part of my motion, I think...I want to make it very clear, I'm not saying this is what we need to do, but I think it takes what the board has talked about on spreading it around and making sure everybody knows there's big decisions coming. And I'm not saying this is what I want to do but I think this is a step forward as far as getting our document done. [Budget]

SENATOR LANGEMEIER: Could you say those again? [Budget]

SENATOR WIGHTMAN: Let me get the figures--(a), (b), (c)... [Budget]

SENATOR FLOOD: (A), (b), (c), (g), and one-half of (j). [Budget]

SENATOR WIGHTMAN: (J). [Budget]

SENATOR FLOOD: And that comes to \$992,000. [Budget]

SENATOR WIGHTMAN: Okay. Senator Pahls, did you have your hand up? [Budget]

SENATOR PAHLS: Yes. And I have no questions nor any qualms about what you're saying, because I truly believe that we're trying to get this process so it looks okay on paper, because I think the decisions made on LR542, because we'll probably start making some of these...taking a look at these different options. So I think we need to move past this. We ought to...ought to vote on this and move past it, knowing that LR542 we're going to be looking at some of these. Because again we cannot eliminate all these positions. Any of these certain combinations we're coming up may not be the right ones because we're sitting around the table trying to make the dollars, which I understand. And we've got to get...let's vote that and then let's move on so we can have more discussions this afternoon. [Budget]

SENATOR WIGHTMAN: No, I agree with what you say. I'd point out one thing, that basically this is still an open ball game until you come in and make your final pitch, probably, as far as your committee input or agency input, when we consider that item and have a hearing or invite in all of the agencies. You know, I think we can amend that or revise it at that time if we want to, and say this has been re-thought. I think that everybody that's involved, including Patrick, as he says is going to...and every one of

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

Executive Board Committee
October 06, 2010

the agencies have to know that really what we say at that is going to override and be probably take the place of what we're doing here. So there's a lot of opportunity to have input between now and any action that's taken by the Appropriations Committee.
Senator Christensen. [Budget]

SENATOR CHRISTENSEN: I would second it. [Budget]

SENATOR WIGHTMAN: So what we're voting on: a motion that would designate items (a), (b), (c), (g), and one-half of (j). Senator. [Budget]

SENATOR NELSON: We're still short. How much are we short? [Budget]

SENATOR WIGHTMAN: No, we're actually at \$990,000-something compared to \$965,000. [Budget]

SENATOR FLOOD: We're at \$992,000. [Budget]

SENATOR NELSON: Oh, okay. All right. [Budget]

SENATOR WIGHTMAN: So we're a little above it. [Budget]

SENATOR NELSON: I just want to throw this out. If we're going to eliminate some of the AAs, isn't there a possibility, like in (j) there, that one legal counsel could serve two of the smaller committees, like the one-day committees, and isn't that a place we can look at? [Budget]

SENATOR FLOOD: I think a point of order. We're not eliminating anybody. [Budget]

SENATOR NELSON: Okay. [Budget]

SENATOR FLOOD: I mean that was stated as a statement of fact. We are saying this is one of the things that may happen. But the idea that we're eliminating anybody is completely false. [Budget]

SENATOR WIGHTMAN: I think we'll be looking at that a little more closely at the LR542 hearing this afternoon. [Budget]

SENATOR FLOOD: Yeah. [Budget]

SENATOR WIGHTMAN: And probably getting into more details than we have time to do here. [Budget]

SENATOR NELSON: But we used the word "eliminate" right there... [Budget]

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

Executive Board Committee
October 06, 2010

SENATOR FLOOD: Well, I... [Budget]

SENATOR NELSON: ...in (j). And that's the way it's going to go out. [Budget]

SENATOR HEIDEMANN: It's just modification. That's all it is, is just a modification. [Budget]

SENATOR FLOOD: But when it's said as we were going to be eliminating these, it sounds like a statement of fact, when I think this entire process is difficult and designed in such a way to create a lot of pain when you are actually making personnel decisions and you're not a regular committee of the Legislature. [Budget]

SENATOR WIGHTMAN: Janice has made a point and I'll let her discuss it, that this won't go out. You're saying that this doesn't go to anybody except the committee. [Budget]

JANICE SATRA: And as it appears on the DAS Web site, once this is posted, what does it actually look like? [Budget]

DIANE NICKOLITE: It will list these items. [Budget]

JANICE SATRA: But it won't say "eliminate." It'll say a dollar amount associated with administrative. [Budget]

DIANE NICKOLITE: (Laughter) And it will have a line and narrative that...but the word "eliminate" could be changed, meaning...but it would...there's narrative to each one of these items, yes. [Budget]

SENATOR FLOOD: Well, it's our job as state senators to visit with our membership and make sure they understand exactly what the intent of this committee is. [Budget]

SENATOR LANGEMEIER: Yes. [Budget]

SENATOR WIGHTMAN: And then we could call it, I suppose, instead of eliminate--"change staffing patterns"--which is what had been used. We didn't adopt that, but, in effect, I would think that might be a more... [Budget]

JANICE SATRA: In (j) it would be a reduction. [Budget]

SENATOR HEIDEMANN: Now you know what every agency has gone through. [Budget]

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

Executive Board Committee
October 06, 2010

SENATOR WIGHTMAN: Okay. So we have a motion... [Budget]

SENATOR FLOOD: Except every agency doesn't go through it in a public meeting. [Budget]

SENATOR WIGHTMAN: ...by Senator Flood and a second by Senator Pahls... [Budget]

JESSICA SHELburn: Senator Christensen. [Budget]

SENATOR WIGHTMAN: Or Senator Christensen--okay, Senator Christensen--to take items (a), (b), (c), (g), and half of (j). Let's do a roll call vote. [Budget]

JESSICA SHELburn: Senator Flood. [Budget]

SENATOR FLOOD: Yes. [Budget]

JESSICA SHELburn: Senator Karpisek. [Budget]

SENATOR KARPISEK: Yes. [Budget]

JESSICA SHELburn: Senator Langemeier. [Budget]

SENATOR LANGEMEIER: Yes. [Budget]

JESSICA SHELburn: Senator Pahls. [Budget]

SENATOR PAHLS: Yes. [Budget]

JESSICA SHELburn: Senator Wightman. [Budget]

SENATOR WIGHTMAN: Yes. [Budget]

JESSICA SHELburn: Senator Nelson. [Budget]

SENATOR NELSON: Yes. [Budget]

JESSICA SHELburn: Senator Christensen. [Budget]

SENATOR CHRISTENSEN: Yes. [Budget]

JESSICA SHELburn: Motion carried. [Budget]

SENATOR WIGHTMAN: Motion carried. [Budget]

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

Executive Board Committee
October 06, 2010

JANICE SATRA: Could I...did we have any motion that adopted 1-8 for 122? Let's have a motion that also accepts 1-8. [Budget]

SENATOR FLOOD: Oh, I so move. [Budget]

SENATOR CHRISTENSEN: Second. [Budget]

SENATOR WIGHTMAN: We have a motion and a second to accept 1-8 of the Program 122. Let's again do a roll call vote on that. [Budget]

JESSICA SHELBURN: Senator Karpisek. [Budget]

SENATOR KARPISEK: Yes. [Budget]

JESSICA SHELBURN: Senator Langemeier. [Budget]

SENATOR LANGEMEIER: Yes. [Budget]

JESSICA SHELBURN: Senator Pahls. [Budget]

SENATOR PAHLS: Yes. [Budget]

JESSICA SHELBURN: Senator Wightman. [Budget]

SENATOR WIGHTMAN: Yes. [Budget]

JESSICA SHELBURN: Senator Nelson. [Budget]

SENATOR NELSON: Yes. [Budget]

JESSICA SHELBURN: Senator Christensen. [Budget]

SENATOR CHRISTENSEN: Yes. [Budget]

JESSICA SHELBURN: Senator Flood. [Budget]

SENATOR FLOOD: Yes. [Budget]

SENATOR WIGHTMAN: Motion carried. Okay, our sole item left, unless there is more discussion of that and I don't think we want much more discussion than that... [Budget]

SENATOR FLOOD: I move the rest of the document to be sent with the caveat similar

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

Executive Board Committee
October 06, 2010

to every other one we've had today, that we are not saying this is the absolute plan of the Legislature. This is done to meet our obligation and that we're investigating all options. [Budget]

SENATOR WIGHTMAN: And you made a motion to that effect? [Budget]

SENATOR FLOOD: I make that motion. [Budget]

SENATOR KARPISEK: Second. [Budget]

SENATOR WIGHTMAN: We have a motion and a second to send the caveat as suggested by Speaker Senator Flood that that be included as a part of what we're submitting. All in favor...or roll call. Or not roll call. Let's just do a voice vote. All in favor say aye. [Budget]

COMMITTEE MEMBERS: Aye. [Budget]

SENATOR WIGHTMAN: Opposed. Motion carried. Any other items except (4) Legislative Issues Symposium? [Budget]

SENATOR FLOOD: Can we take that up after lunch? Would that be okay to move that? [Symposium]

SENATOR WIGHTMAN: What? [Symposium]

SENATOR FLOOD: Would it be okay to move that to 1:30? [Symposium]

SENATOR WIGHTMAN: It... [Symposium]

JANICE SATRA: I mean yeah. There's nothing... [Symposium]

SENATOR WIGHTMAN: That really... [Symposium]

JANICE SATRA: We wouldn't need a motion or anything. It was just for discussion purposes, so if you want to discuss it this afternoon. [Symposium]

SENATOR FLOOD: If that's okay. [Symposium]

SENATOR WIGHTMAN: That's fine. [Symposium]

SENATOR KARPISEK: Hungry? [Symposium]

SENATOR LANGEMEIER: We're done until 1:30?

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

Executive Board Committee
October 06, 2010

SENATOR WIGHTMAN: We'll be adjourned until 1:30, which will be a separate...

JANICE SATRA: The agency efficiency plan that we have to submit this year. That was the last piece of your budget document. [Budget]

SENATOR FLOOD: I read that. I move that. [Budget]

SENATOR CHRISTENSEN: Second. [Budget]

JANICE SATRA: Thank you for catching that. [Budget]

SENATOR WIGHTMAN: Okay. It's been moved that we accept the agency efficiency plan. A second? [Budget]

JESSICA SHELBURN: Senator Christensen seconded. [Budget]

SENATOR WIGHTMAN: We'll have a voice vote. All in favor say aye. [Budget]

COMMITTEE MEMBERS: Aye. [Budget]

SENATOR WIGHTMAN: Opposed. Motion carried. Now we're adjourned until 1:30. [Budget]

JANICE SATRA: Thank you. [Budget]