

January 9, 1989

SPEAKER BARRETT: Thank you. The members might like to follow along. The first proposed amendment is an amendment to Rule 3, Section 4(e). These, incidentally, are all interrelated and I think they can be handled very expeditiously in one motion, but we will let the body determine that at a later point. Let me suggest to you initially that these amendments are an outgrowth of the resolution introduced last session by myself, LR 288. It was the feeling at that time that perhaps our confirmation processes and our hearings with relation to gubernatorial appointments was a bit slipshod, and we could be leaving ourselves open, at least there was some gray areas. The committee which was assigned at that time conducted a study during the interim and have come up with these five specific recommendations that we present to you at this point. Since the Legislature has the constitutional and also the statutory responsibility for approving these appointments, we thought that it was very urgent and very necessary that we take this route. As a committee, incidentally, we did find several interesting points which I would share with you at this particular time. One of them, we found that from 1981, which was the first year that we began referencing gubernatorial appointments to Standing Committees, up through last year, in that seven year period, gubernatorial appointments have been received on an average of about 70 per legislative session. We also found that on the average there are about nine appointments each session that are not voted upon, they are not confirmed by this Legislature. We found that it was also not uncommon to have appointments received by the Governor and referenced to a committee during the last five days of the legislative session, that time in which there is often considerable chaos. A survey of the confirmation process in other states showed that many of the other states, if not most of the other states, had rules which provided considerably more guidance than we provide in our Nebraska rules. We also found that since 1981 no appointments have been expressly rejected by this Legislature. Therefore, in an effort to ensure a more meaningful process for our Legislature with regard to confirmation, we are suggesting that these rules changes be adopted today to provide some uniformity and still maintain maximum flexibility within the committee structure itself. The first one, then, which is small Roman numeral (iii) is an addition to our permanent rules stating that the Clerk of the Legislature's Office be responsible for the collecting of background information on appointees for committees and there are several reasons for that. I'd share