

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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SENATOR CHAMBERS: It is not going to interpret the law in the way of a court, is it?

SENATOR HILGERT: Not in the way of a court, Senator Chambers, you are correct.

SENATOR CHAMBERS: How many branches of government do we have under this system of government in Nebraska?

SENATOR HILGERT: I'm tempted to be flippant and say four, including...

SENATOR CHAMBERS: That's okay.

SENATOR HILGERT: ...Senator Chambers, but, no, we have legislative, judicial, and executive.

SENATOR CHAMBERS: Now if this group is not going to carry out legislative functions, it is not going to carry out judicial functions, which is the only type of function left for it to carry out?

SENATOR HILGERT: Executive.

SENATOR CHAMBERS: Are there legislators included on this executive group or commission, committee, whatever it is?

SENATOR HILGERT: Yes.

SENATOR CHAMBERS: What becomes of the separation of powers where the Nebraska Supreme Court has said that a judge could not even serve as a member of the Law Enforcement Commission because that's an executive branch office? They do make decisions and the judiciary has no role to play in executive functions and Judge Murphy had to get off. Now how can legislators constitutionally be placed on an executive branch group? I'm curious.

SENATOR HILGERT: Well, it's not infrequent that legislators are on different commissions and studies and so forth that will influence policy in the state. I think Senator Thompson, myself, and Senator Pedersen served on one last summer