

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

January 24, 2003 LB 76

SENATOR BEUTLER: You're in favor of eliminating the minimum also?

SENATOR MINES: I would favor that as well, yes.

SENATOR BEUTLER: Okay. So that if somebody had a board of one, that would be all right with you, if they chose to do that?

SENATOR MINES: If a municipality or a county or a school board wanted to have a board of one and that's what the body chose, I think that's fair and reasonable.

SENATOR BEUTLER: Okay. Thank you. I think the nature of the discussion is such that I would hope that that would illustrate the...why the Legislature gets involved in these matters. I think most of us, from our experience in here, would say that a board of one on anything would be bad policy, because you're very, very unlikely to get any sort of cross section of what is represented in the community. If we took a vote today as to whether a board of one on anything was good public policy, I would venture to say that 95 percent of us would say that should not be anywhere. And that's where you get to the question of applying the experience of the Legislature and the members of the Legislature who have had the opportunity to look at situations all across the state over long periods of time to determine, historically and from experience, what simply doesn't work. A board of one would never work. So we make a minimum number, and nobody argues about the minimum number, on a theoretical basis. But then we turn around and argue the maximum number on some sort of local control basis. And I think what it all points out is that there has to be a balance here. We've got to allow flexibility. But on the other hand, we don't want to invite a whole bunch of problems that we know from experience will develop if we allow flexibility that allows for the kinds of errors that have been made in the past. And I think if you allow total flexibility in the number of people that you allow to be on boards, you're inviting a number of problems, such as the one...

PRESIDENT HEINEMAN: One minute.