

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 7, 2024
Rough Draft

AGUILAR: Good afternoon and welcome to the Exec Board. My name is Senator Ray Aguilar, represent the 35th Legislative District, and I serve as Chair of the Executive Board. We will start off having members of the committee and committee staff do self-introductions, starting on my far right with Senator Ballard.

BALLARD: Beau Ballard, District 21.

BOSTAR: Eliot Bostar, District 29.

LOWE: John Lowe, District 37.

TREVOR FITZGERALD: Trevor Fitzgerald, committee legal counsel.

ARCH: John Arch, District 14.

RIEPE: Merv Riepe, District 12.

AGUILAR: Also assisting the committee is our clerk, Sally Schultz, and our committee pages, Julie Skavdahl, of Harrison, history major at UNL, and Molly Penas from Fort Calhoun, political science major at UNL. This afternoon, we will be hearing LB1235 and LR28-- 20-- LR283CA. Thank you. You'll-- and we'll be taking them in the order listed outside the room. On the tables near the entrance, you will find green testifier sheets. If you are planning to testify, please do so-- fill one out and hand it to Sally when you come up. This will help us keep an accurate record of the hearing. Please note that if you wish to have your position listed on the committee statement for a particular bill, you must testify in that position during the bill's hearing. If you do not wish to testify but would like to record your position on a bill, please fill out the yellow sheet near the entrance. Also, I would note that the Legislature's policy that all letters of the record must be received via the online comments portal by the committee by 8 a.m., the day of the hearing. Any handouts submitted by testifiers will also be included as part of the record as exhibits. We would ask if you do have any handouts, that you please bring 12 copies and give them to the page. If you need additional copies, the page can help to make more. Testimony for each bill will begin with the introducer's opening statement. After the opening statement, we will hear from supporters of the bill, then from those in opposition, followed by those speaking in a neutral capacity. The introducer of the bill will then be given the opportunity to make a closing statement if they wish to do so. We ask that you begin your testimony by giving us your first and last name. Please also spell

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them for the record. Because the Exec Board meets over the noon hour and members have other hearings beginning at 1:30, we will be using a 3-minute light system today. When you begin your testimony, the light on the table will turn green. The yellow light is your 1-minute warning, and when the red light comes on, you will be asked to wrap up your final thoughts. I would remind everyone, including senators, to please turn off your cell phones or put them on vibrate. With that, we will begin today's hearing with LB1235. Welcome, Senator Wayne.

WAYNE: Good afternoon. My name is Justin Wayne, J-u-s-t-i-n W-a-y-n-e, and I represent Legislative District 13, which is north Omaha and northeast-- well, north Omaha and north Douglas County, now. This is a very simple bill. I just asked your great legal counsel-- well, that takes care of that-- if this bill was constitutional, he thinks it might not be. So-- well, I tried. So now, I'm going to approach this differently. It's constitutional till somebody tells us it's not, and I believe it is. The idea is, I know we have-- we struggle with legislative pay. I know it's in our constitution. And the thought was, if we could provide another benefit to help attract people to run for office. I know when we're down here, if it's anything like me as a small business owner, we lose a lot of money. Some of us give up our businesses. And when we do that to take these public offices, we are limiting the wealth and the income that we can pass on to our kids. And so, one way we could pass on something else is through a life insurance policy. Unfortunately, we are all going to pass at some point, so the thought was if we do a 6-year vesting period, then somebody would have to be here for at least 2 terms and we could pay for their life insurance for the remainder of their life for simply \$100,000 life insurance policy, that they at least they could pass on to their kids and their loved ones. And at the min-- at the end of the day, we probably lose over \$100,000 from being down here during the, during the 6 years you're here. So that was the thought.

AGUILAR: Question for Senator Wayne? Senator Riepe.

RIEPE: Thank you, Chairman. Thank you for being here. I know they do offer life insurance at this time, but it's for the-- I think, while you're in office. Is that correct, as you understand it?

WAYNE: Yeah. I think it should be extended as just a-- like, almost like a retirement benefit for us, for being down here. I mean, the reason why I push back on the constitutionality is we pay into our Social Security that the state pays for. To me, that's, that's a benefit, too. That's a government benefit that we're going to get when

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we retire. If it's like your bill, I, I will get \$1,000, but we only take home like, \$700, so at least \$150 is going to my retirement. And so that's the thought of a life insurance policy.

RIEPE: OK. Thank you for bringing the bill.

AGUILAR: Senator Lowe.

LOWE: Thank you. What about just a health insurance policy? Because I have my health insurance taken out of my pay right now, of \$1,000, and they pay me \$0.25. And then they take the taxes out of that, so my pay stub is \$0.23 a month.

WAYNE: And see, for me, when I was trying to do health insurance, Senator Lowe, I had to pay \$100, for my, for my family. So it didn't make sense for me, either. I, I think that's part of what I'm trying to figure out. But the, the political thing of voting on something that benefits you, that costs money to the state has always been a concern, so my argue-- my thought was this actually doesn't go to you. It goes to somebody else, and that's why I think it's constitutional.

AGUILAR: Further questions? Seeing none, thank you, Senator Wayne.

WAYNE: Thank you. And I will waive closing. I'm working on LB999, for Senator Ibach, over this period. Thank you.

AGUILAR: Are there any proponents? Are there any opponents? Neutral testimony? Seeing none, Senator Wayne waived closing. And that will bring to a close LB1235.

TREVOR FITZGERALD: Senator Cavanaugh's staff is on the way.

AGUILAR: OK.

_____ : It's crazy.

AGUILAR: We're waiting for a staff member. You're up, Margaret.

MARGARET BUCK: Oh, already?

RIEPE: We move quick around here.

AGUILAR: Oh, on the last one, the comments, there are no proponents, 4 open-- opponents. Sorry. Whenever you're ready, Margaret.

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MARGARET BUCK: OK. I ran, so. Hi, everybody. I am Margaret Buck. I am here in place of Senator Machaela Cavanaugh. She had something last minute come up and apologizes.

AGUILAR: Spell your name, please.

MARGARET BUCK: My name, Margaret Buck, M-a-r-g-a-r-e-t B-u-c-k. Good afternoon, Chairman Aguilar and members of the Executive Board. LR283CA is a proposed constit-- constitutional amendment to change Article III, Sections 7 and 19, and add a new section, 31. This resolution proposes to create a Legislative Salary Commission to set legislative salaries. Half the members would be appointed by the Governor, the other half by the Chief Justice of the Supreme Court. No more than half the members of the commission could be from the same political party. The commission's purpose is to set the salary for members of the Legislature by March 31 of each odd-numbered year, with changes taking effect on July 1 of that year. The Legislature will determine the commission members' terms of office, compensation, and procedure for removal of members when needed. The intent is to provide an alternative to the current constitutional static salary amount, without directly increasing the salary for legislators. The resolution also includes several prohibitions on who could serve on the commission. According to a brief, which is being handed out, by the National Conference of State Legislatures, 22 states have a commission-style body that either sets salaries or makes salary and per diem recommendations to the legislature. This brief is one of the documents that is handed out. The other one is the first couple of pages of a report from the Minnesota council that recommends their salary, per diems, and rent and salaries. And this resolution is patterned after the Minnesota council. Minnesotans voted in 2018 to approve the council's structure. The online comments, listed as proponents, leaned heavily to the sentiment that the current amount of \$1,000 a month is not a living wage, and therefore, prevents many people from running for this office. At least 1 comment stated that it's long overdue. We at least need to have the discussion, so please support advancing the resolutions and I won't be answering questions.

AGUILAR: Any questions for Margaret? Seeing none.

MARGARET BUCK: Thanks.

AGUILAR: Are there any proponents?

JOSEPHINE LITWINOWICZ: Good evening. Good afternoon, everybody. My name is Josephine Litwinowicz, J-o-s-e-p-h-i-n-e [INAUDIBLE] parenthetically, and then L-i-t-w-i-n-o-w-i-c-z, is the last name. I'm in favor of passing this constitutional amendment, because I know-- it's the-- upon the affirmative decision by the electorate for that. It would be the latest, you know, the latest attempt to basically, include people that are purposely kept out from running. The wages are kept low. I'd like to run, but I'd tend to take a pay cut, you know. This is-- you know, it's meant to keep out, I guess, I don't know, younger, liberal-- more liberal Democrats. That's just the way it is. That's a fact. So it'd be nice if we could increase the salary maybe, to, to that of, of legislative aides, perhaps. That would be nice. And it would really be fair, not that that really matters these days, by certain pods of people. But anyway, so that would be right on the money. And-- oh, I [INAUDIBLE]. Nevermind. So you have a good one.

AGUILAR: Questions for the testifier? See none, thank you. Any other proponents? Any opponents? Neutral testimony? Seeing none, we had no ADA accommodation testimony. Written position comments: 15 proponents, 5 opponents. Margaret, would you like to close? And that closes the hearing.

LOWE: Motion to adjourn.

BOSTAR: Second.