LIPPINCOTT: Welcome to the Rules Committee. My name is Loren Lippincott and I represent District 34. I serve as the Chair of this committee and we'll start off by having the members do self-introductions starting at my very far right.

DeBOER: Hello, everyone. My name is Wendy DeBoer. I represent District 10 in vibrant northwest Omaha.

IBACH: Teresa Ibach, District 44, southwest Nebraska, eight counties.

HANSEN: Ben Hansen, District 16.

ARCH: John Arch, District 14.

LIPPINCOTT: All right, assisting the committee today is our committee clerk, Cori--

CORI BIERBAUM: Bierbaum.

LIPPINCOTT: --Bierbaum, correct, that's right. And to my immediate left is my trustee administrative [SIC] aide, Tamara Hunt, and our pages today, Joel. You're it, right? Yep, thank you for being here. If you're planning on testifying, please fill out a green testifier sheet located outside the entrance for each rule you wish to testify on and hand it to the page when you come up to testify. Online position comments will have been submitted on the legislator's-- Legislature's website by 8:00 the day of the hearing this morning, and would be included on the record. If you have submitted a comment online, we ask that you not testify today in person. If you will not be testifying but want to go on record as having a position on a bill being heard today, there are yellow sign-in sheets outside the entrance. These sign-in sheets will become exhibits in the permanent record after today's hearing. To better facilitate, facilitate today's hearing, I ask you abide by the following procedures. Please silence your cellular telephones. When hearing rules, the order of testimony will be the introducer, proponents, opponents, neutral, and closing. When you come to testify, please say and spell your first and last name to ensure that we get an accurate record. We do request that you limit your testimony to 3 minutes or less. When you begin your testimony, the light on the table will be green. When the yellow light comes on you have 1 minute remaining, and the red light will indicate you need to stop. Questions from the committee may follow. Verbal outbursts or applause are not permitted in the hearing room and may be a cause for you to be asked to leave. Written material may be distributed to the committee members as exhibits only while testimony is being offered.

Hand them to the page for distribution when you come up to testify. We cannot accept oversized exhibits, CDs, or electronic exhibits. If you have written testimony but do not have seven copies, please let the page know now so they can make copies for you. With that, we begin today's hearing with the combined hearing for Rule 1 and 2 with Senator Wendy DeBoer.

DeBOER: Good afternoon, Chair Lippincott and members of the Rules Committee. My name is Wendy DeBoer, W-e-n-d-y D-e-B-o-e-r, and I represent District 10 in vibrant northwest Omaha. I'm here today to introduce two rule changes to the Nebraska Legislature's Rules. The changes are based on the recommendations of the LR174 Select Committee to change our committee structure. Under the proposal from the LR174 Select Committee, the Agriculture Committee and the Natural Resources Committee would be combined. The Transportation and Telecommunications Committee would be separated into the Transportation Committee and the Technology and Telecommunications Committee. The newly combined Agriculture and Natural Resources Committee, or ANR, is proposed to be a 3-day committee and the new Transportation Committee to be a 2-day committee. The Telecommunications and Technology Committee would be a 1-day committee, which would go in the place where the Agriculture Committee currently is. Before I get to the rule change now, I wanted to at least briefly go over the history of committee restructuring efforts in the Nebraska Legislature. I believe you all have your binders that were passed out. There's a full history in your binders under tab, it doesn't tell me what, so you find the tab. But to summarize, for the first year of the Unicameral in-- from the first year of the Unicameral in 1937 until 1986, there were a variety of committees created, changed, or eliminated. These changes to the structure of committees was done on an ad hoc basis rather than a systematic review. By way of example, the Public Health and Miscellaneous Subjects Committee from 1937 was broken up in 1959, rejoined together in 1960, then in 1963 eliminated with their jurisdiction moving to the Public Health Committee and the Miscellaneous Subjects Committee. In 1985, Senator Chris Beutler introduced LR246 to examine the entire committee structure. With the exception of two actions occurring in 1989, the changes made because of the LR246 gave us our current committee structure. Various committees were eliminated and jurisdictions changed to give us 13 standing committees. And we know all of these very well: Agriculture, Appropriations, Banking, Commerce and Industry [SIC], Business and Labor, Education, General Affairs, Government, Military, and Veterans Affairs, Health and Human Services, Judiciary, Natural Resources, Revenue, Transportation, and Urban Affairs. In 1989, the Nebraska

Retirement Systems Committee became a standing committee rather than a select committee, and Telecommunications was added to the name of Transportation Committee also in 1989. OK, so that sets the stage. Basically, everything's been like this since 1989. Since then, there have been multiple efforts to examine the committee structure of the Legislature. Speaker Ron Withem in 1985 had LR242. Senator Philip Erdman had LR319 and LR201 and LR204 and LR205, respectively. Senator Mike Hilgers undertook a similar initiative in 2017 and 2018. And Senator Sue Crawford did again in 2019. And 2019, some of you have heard me refer to this, I served on that select committee into 2019. Since 2019, there has not been an interim study which resulted in the formation of a select committee to examine the Legislature's committee structure. So it took me all of the 8 years that I've been here, I guess, since that 2019 committee to feel confident that an action like the one before us today is the right thing and is right for our state. This rules change is not a question, and I think this is really important, it's not a question about what we value in Nebraska. We have always been and will always be, as long out as I can see, an agricultural state. But I will remind everyone that quantity does not equal importance. Earlier this year, I was asked to consider a bill. And I was told it was a simple bill. It literally only added one word to statute. Turns out that word was "not." Quantity does not always equal importance, because adding "not" into a bill can literally make it do its exact opposite. Quantity does not equal importance. Today before us is the decision to combine the Agriculture and Natural Resources Committee. This is not a reflection of the perceived importance for the committees. That committee, the Agriculture Committee and the Natural Resources Committee have had fewer bills in the last decade or so, not because of lesser importance, because-- but just because there are fewer changes to law in that area. And maybe that's in part because our farmers do not want government regulation or oversight. They are independent and they're excellent at feeding the world and managing our natural resources. And maybe that's why there are fewer bills to that committee. It's common knowledge that the Agriculture and Natural Resources Committee have the lightest bill loads of our standing committees and their subject matter is inextricably intertwined. Obviously, the water rights questions that come before the Natural Resources are of grave importance to those who are involved in agriculture in our state. There is a full explainer of the relative bill loads under tab, I don't know, 4, it looks like. But when quantifying the bill load for each committee, I found that while in a long session most 1-day committees, in a long session most 1-day committees have an average of 4.43 bills per day. The Agriculture Committee has 1.61. So 4.43 for the rest, 1.61 for Ag. In a short

session, 1-day committees see 4.09 bills per day and Ag sees 1.4. A similar story can be told for Natural Resources. In a long session, 3-day committees average 3.94 bills per day, Natural Resources just 1.09. In a short session the other 3-day committees see 4.12 bills per day, Natural Resources sees 1.35. Because I know you all love numbers and are curious, the projected bill load for the new Agriculture and Natural Resources Committee is 1.69 in a long session and 1.91 in a short session. Still below, quite below, the average for 3-day committees. So now for the other committee that changes, Transportation and Telecommunications. While there is some vague similarity between the two issues, transportation and telecommunications, my review of the past 10 years showed that only-- in the last 10 years, only two bills could be described as both transportation and telecommunications in nature. Otherwise, almost every bill referred to Transportation and Telecommunications fits in one of the two buckets. This makes the split logical and easy, but it isn't the only reason for this change. Creating a new Technology and Tele-- creating a new Telecommunications and Technology Committee ensures that we, as a body, have members of staff and members, colleagues, generating expertise in complex technological issues. We know these issues will continue to rise in their importance and there is a need for us to protect our citizens and be involved in these issues. Telecommunications is the backbone of these new and highly advanced technologies that we're seeing developed and used. The issues surrounding legislation for telecommunications and these kinds of technologies have similar legal complications and concerns. So grouping these matters together to me makes sense and will prepare us institutionally for the future. This is, of the various proposals we looked at this summer, a relatively simple proposal and it's simple on purpose. Efforts in years past have stalled because people have tried to make it too complicated. We should make this change and it is incumbent upon those of you who will be sticking around and those who come after us to monitor this change to ensure our committee structure is reflective of the needs of our state and our institution. And if you see a group of constituents not getting their voices heard, or not addressing needs, then you will need to address that then. But for now, this relatively modest proposal will help move our institution and our state into the future. Thank you.

LIPPINCOTT: Any questions? Yes, sir.

ARCH: It's, it's more of a comment. First of all, I appreciate the thoroughness of your review and the data and all of the analysis that you did, the research and the history. Legislatures have approached this many times over the, over the years and have not gotten across

the line on this. 2023-- after 2023 when we had our, our Legislative Council meeting, this was one of the things on the agenda that we talked about even back then, and I think there's an awareness. I would agree with you, it doesn't solve all of the issues that we have with our committee structure that this-- that the spreading out of bills, Judiciary-- of the weight on Judiciary, odd numbers, even numbers on our committees. I mean, there's a lot of other things to be discussed, but I, I think that this is a step that other Legislatures have not taken up to this point. And, yeah, I think-- I just appreciate you bringing this and, and the research you did.

DeBOER: Thank you. I, I will say I would like to thank my LA, Brian Murray, who did all of the, all of the tabs that you have, all of that. He spent so much time gathering that information this summer and working on that, and was really, really helpful in that. And, you know, I didn't do the calculations, he did. So I think, you know, this body owes him, and I owe him a debt of gratitude. This is the last, any kind of proposal we'll be making. He's been with me for 8 years, so I want to thank him.

LIPPINCOTT: Yes, go ahead.

IBACH: I have a comment as well and, and I have to apologize because none of the meeting dates worked in my schedule and so I'm the de facto member of this committee and I think you and I've talked about overlapping Revenue and Ag and Natural Resources. Can you speak just a little bit to the committee priority piece because a little bit of the feedback that I've gotten from the agriculture community is will we lose our two priorities? And so maybe speak just a little to how that will work.

DeBOER: Yeah, I mean, I can speak to two things. One, I talked to members of the ag community and I said I don't think you're going to have the problem. But if you do, that is certainly something you could take up in another change in another time. And that is something that I, I want to make clear that along the lines of what the Speaker was saying. You know, one of the problems that I've observed over the years is when we try to take on 12 changes in the same motion, the same, you know, rules change, the same whatever, it, it muddies the, the matter so much that you don't get anything done. And so, for me, it was necessary to be as clean, as simple as possible. There were multiple ideas about how you might restructure the committee priorities and I think if this body wanted to address that in the future, sure. But I also don't think it will be a problem, and here's why. Because speakers have traditionally, and this is something that

the speakers in the future might change, but speakers have traditionally allowed multiple bills in a committee package. And if you look as a percentage of bills that are in a committee, these-- you, you still saw they're going to have far fewer bills per, per day than any other committee and any other 3-day committee in that way. And so, you know, having multiple bills within a committee package, I think, will allow them to still prioritize the needs that they need, plus there are a lot of ag senators and there always will be, so there will be personal priorities-- well, I would hope so-- there will be personal priorities available as well. So I don't think this is going to materially change anything, they will still have a much higher percentage of committee priorities per bills heard in the jurisdiction committee than other areas. And, you know, I think that's important. I have not seen a lot of problems with getting ag bills priorities in the past. In the same-- I mean, you served on Judiciary with me. You know, we had a lot of inventory that was just like, this is a good bill. It just-- we just don't have a path for it. And some of the matters that or some of the paths that people had suggested for committee priorities, to be honest would end up with more priority bills, in general, and you may have heard the Speaker's announcement a little bit ago, we already have trouble hearing the priorities that we have. So I think an encouragement to-- in the subject matter committee, make sure that those, those bills that need to be heard, that are helpful, that are good government, that are all of the things are having the prioritization within the committee process.

IBACH: Thank you.

LIPPINCOTT: Yes, sir.

ARCH: I just had one other comment about that. I, I mean, I agree. You know, if you have, if you have five or six priority bills, which is kind of our general rule in a committee package, it's similar to what we have with Banking and Insurance. There is a banking priority package and there is an insurance priority package, and I could see an ag priority package and a natural resources priority package. However they decide to do it, but if you're getting, what did you say, 14? I think the average was approximately 14 bills referred to the Ag Committee now. If you're getting--, you know, you, you could end up with five or six of the 14 in an, in an Ag Committee package. You know, so I, I think there is ample room given the number of bills, and I, and I would see them probably doing something similar to what Banking and Insurance does now.

DeBOER: Yes, and I would, again, say, you know, if you look as a percentage of bills introduced into a committee of jurisdiction, you're always going to have a higher percentage that is able to be done through the committee priority method.

IBACH: Thank you. Thank you. This was your comment.

LIPPINCOTT: There's more and more states that are moving more toward this direction, correct? I know a number of states are adding Technology Committee, and obviously with AI and all that, we're moving in that direction. So we certainly need to give that our attention, for sure.

DeBOER: Yeah, one of the things that you all may remember is last year that there were bills dealing with social media and social media platforms in Banking, in Judiciary, in, in a number of committees. The problem with something like that isn't necessarily even just that the senators cannot answer interesting-- you know, ask interesting questions and, and sort of get to the bottom of that. It's that we forget that we also have to have our staff be expertise. The legal counsel for the committees need to have the very special--to help us draft and make sure that we're in the place that the committee wants to be and to give relevant and helpful advice to the committee about the very complex issues that they're going to be dealing with. And some of these technological issues, AI, you know, most of these are telecommunications delivered technologies that you would need to know about telecommunications delivery methods and the regulate-- these are highly regulated areas of the law. They are highly federally regulated areas of the law. So if you want a committee counsel that is, is going to be focused on those issues, they're going to have to spend some time doing that. And knowing that area of law is going to be a really big help to the committee members trying to navigate through these new and developing areas of the law. And I don't see how we do that if you also have to know everything about the highly regulated area of law that is transportation. And so they're really two very different kinds of things that have two different regulatory structures. So at some point those really need to be divided. They, they were, and then they got put together in '89 and, or added on, I guess, and, and now we have very different regulatory structures that both, I think, deserve specialty committee counsel on.

LIPPINCOTT: Thank you. Any other questions? Thank you for your testimony. Will you be staying for closing?

DeBOER: You know, I'm going to try.

LIPPINCOTT: OK, good. Thanks. Any other proponents?

KAUTH: Good afternoon, Rules Committee. My name is Kathleen Kauth, K-a-t-h-l-e-e-n K-a-u-t-h, and I rise-- speak in favor of the rule change. So I had actually started working on this parallel to Senator DeBoer. And my concern was from the number of AI bills and quantum physics. The, the type of bills we were seeing come before us. And as I did conferences throughout the country, talking to other senators, other representatives, we don't even know what we don't know about the technology that is coming our way. And to Senator DeBoer's point, we have to have staff there who can help guide us and understand what we're talking about because it is a very, very steep learning curve. So I also had a, a thought to combine Agriculture and Natural Resources. I was going to advise for an advanced technology committee alone. I think Senator DeBoer's idea to put telecom in there is, is-- it's older technology, but she's right, it does tie in and entwine with the advanced technology. So I rise in full support. I spoke with Nebraska Counter Intelligence Terrorism-- or pardon me, Nebraska Counter Terrorism Innovation Technology and Education Center, or CIO, talked with universities around the country, individuals within the state who deal with IT and who deal with the type of, of stuff that's coming our way, and all of them said without a doubt we need to have something that is focused very specifically on this issue or we will be left behind and we will make decisions that will take a long time to unwind and we will miss out on things. So I fully support this bill.

LIPPINCOTT: Very good. Any questions? Yes, sir.

ARCH: I think one of the discussions that we also had was that-- you know, we, we went back and took a look. How many technology bills do we have right now? And then the question is, how many more? I mean, will that, will that grow? And I think our conclusion was the number of technology bills that you would really say are just pure technology we, we anticipate will grow. So this is also not just for today, but also setting up for the future.

KAUTH: Absolutely. And to that end, as we look at the, the distribution of days, Transportation may need to become a, a 1-day and make the Telecommunications and Advanced Technology a 2-day, depending on what we see. I think this is a great first step to say, OK, let's see what's really happening here. But, again, it is-- we've got a lot coming our way, and we don't necessarily understand it all. And to Senator DeBoer's point, having bills dealing with technology in multiple different areas, number one, means we cannot amend them

together, even if they're very similar and they would compliment each other well, we can't amend them together from different committees. So this is a very commonsense, simple thing to do. When we discussed the, the concern, Senator Ibach, about the number of days, I did bring up a, a suggestion that we can look at further that we say for all committees you get one priority committee priority per day. I'm Chair of Business and Labor, we don't necessarily need two committee priorities because we only meet once a week. So that might be something that we look at going down the line. I think she's right that trying to do too much too fast makes everybody go, ah, and kind of freak out. So I think this is a very, very good first step.

LIPPINCOTT: Very good. Any other questions? Thank you. Any other proponents? Any opponents? Anybody in the neutral position? Would you like to close?

DeBOER: I suppose I better not waive my last closing ever. I'm available, available for additional questions.

LIPPINCOTT: Very good. Thank you. That concludes our rule change number 1.

DeBOER: And 2.

LIPPINCOTT: And 2.