

NCSL Executive Committee
Minutes of Winter Meeting
Denver, Co.
June 6, 2015

President-Elect Curt Bramble called the meeting to order. The following officers and members were present:

Officers

Senator Curt Bramble, Utah, President-Elect
Senator Pamela Althoff, Illinois, Immediate Past President
Peggy Piety, Indiana, Staff Chair
Karl Aro, Maryland, Staff Vice Chair

Executive Committee Members

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| Stephanie Barrett, Vermont | Ken Levine, Texas |
| Rich Beckwith, Missouri | Senator David Long, Indiana |
| Representative Rosie Berger, Wyoming | Senator Karen McConnaughay, Illinois |
| Raul Burciaga, New Mexico | Representative John Mizuno, Hawaii |
| Melissa Calderwood-Renick, Kansas | Julie Pelegrin, Colorado |
| Martha Carter, Nebraska | Senator Deb Peters, South Dakota |
| Lore Christopher, Oregon | Walker Reagan, North Carolina |
| Assemblyman Herb Conaway, New Jersey | Senator Ryan Silvey, Missouri |
| Lisa Davis, Mississippi | Jim Smith, North Dakota |
| Senator Rodney Ellis, Texas | Speaker Shap Smith, Vermont |
| Susan Fox, Montana | Representative Greg Snowden, Mississippi |
| Representative Dan Flynn, Texas | David Teal, Alaska |
| Assemblymember Adam Gray, California | Chuck Truesdell, Kentucky |
| John Heining, Texas | Representative Mary Jane Wallner, New Hampshire |
| Representative Jay Kaufman, Massachusetts | Senator Bo Watson, Tennessee |
| Representative Helene Keeley, Delaware | Representative Angela Williams, Colorado |
| Senator Delores Kelley, Maryland | Chuck Williams, South Carolina |
| Representative Brian Kennedy, Rhode Island | Representative Art Wittich, Montana |
| Representative Greg Leding, Arkansas | |

A quorum was present with 41 members in attendance. Several guests and NCSL staff also were present.

APPROVAL OF MINUTES

NCSL President Elect Curt Bramble called for a motion to approve the minutes from the NCSL Executive Committee meeting held in New Orleans, La. on Jan. 10, 2015. The Executive Committee unanimously approved the minutes from the winter meeting.

EXECUTIVE DIRECTOR'S REPORT

NCSL Executive Director William Pound commented on the health of NCSL President Senator Debbie Smith. Pound told those in attendance that the Senator had surgery in February, followed by treatment in Houston. As a result, Senator Smith missed the first half of the Legislative Session in Nevada this year, but returned for the second half. The session in Nevada concluded on Monday, June 1. Senator Smith returned to Houston for further testing after the session, which indicated the need for further surgery. A second surgery is scheduled for June 18 for another brain tumor, with chemotherapy to follow. Pound advised the Committee that he would keep them informed as information is made available.

Pound called Committee members' attention to the NCSL budget for FY16. The current budget status for FY15 through April 30th indicates that NCSL is on target to finish the year in the black barring some unforeseen event. The 2016 budget is such that it will allow NCSL to continue to have a salary pool and to continue improve staff compensation. A discussion of the FY16 budget later during the meeting would go into greater detail, Pound said.

Pound told the Committee that great progress continues to be made in the area of member outreach, reporting that state assignment visits have been made to 42 of the states so far this year. Further, Pound reported that NCSL has actually been in all of the states in some capacity; including conducting training programs or technical assistance, or doing interviewing for ongoing research projects.

The Committee was also briefed on internal engagement with staff at NCSL. Pound explained that this is part of a process which began a couple of years ago at the direction of the officers. The focus of these efforts has been on succession planning: How NCSL staff evolve and develop professionally within the organization. To achieve this, NCSL embarked on an extensive training program about a year or year and a half ago. Pound informed Committee members that the next installment of this training is scheduled to occur June 24-25 in Denver, with staff from both the Denver and Washington, D.C. office participating in a program on the NCSL organizational culture. The program is adapted from a program by Dave Logan offered at the Legislative Staff Management Institute where it has been used very successfully.

As part of this effort, Pound reported that meetings were held with NCSL staff. In addition, staff were asked to participate in an anonymous email survey about the organization: what is good about NCSL, what is bad working at NCSL, and about what staff thought about the work they do. Pound stressed that there was a nearly-unanimous sense among staff that NCSL is a satisfying place to work because of what NCSL does: working for legislatures, serving the people involved in representative democracy in the legislative branch of government, and helping them to influence and develop public policy in their role.

Pound announced that NCSL is on target for a very successful Legislative Summit in Seattle. Registration is ahead of the last two years and slightly ahead of Chicago in 2012. The program is good. As the host state, Washington's fundraising is on target with their goals, and there are still about two months remaining before the Summit. Pound encouraged everyone to attend the Summit in Seattle.

Pound mentioned that there has been some movement with regard to the Main Street Fairness Act, adding that Senator Peters would brief the Committee on those developments when she reports on State/Federal Relations.

Pound referred members to the Public Affairs Summary Report in the agenda book, noting that the visibility of NCSL is much greater than it has been in the past. NCSL is seen as a trusted source. Pound

attributed this development to the higher quality of our web site in recent months along with the work of NCSL's public affairs department since Mick Bullock joined the staff.

INTERNATIONAL AFFAIRS TASK FORCE

Task Force co-chair Representative Rosie Berger reported that the Task Force had a productive meeting. Berger recognized the contributions of fellow co-chairs, Senator Rodney Ellis, Assistant Speaker Felix Ortiz, and Speaker Pro tem Greg Snowden, and also of staff co-chairs, Raul Burciaga and Jan Yamane. Representative Berger also recognized special guest Raffaele Cattaneo, President of CALRE, from Italy.

Berger stated that the Task Force engaged in a major discussion regarding a memo of understanding between CALRE and NCSL that members will consider signing at the Summit in Seattle. Berger told the Committee that the Task Force also heard a presentation from the CALRE delegation. Finally, Berger reported that Task Force members discussed the collision of new technology and old business models following a presentation on the dynamics of Uber and Lift entering the marketplace.

STATE AND FEDERAL ACTIVITIES

Senator Deb Peters, co-chair of the NCSL Standing Committees, reported that NCSL continues to work with a variety of national organizations on a diverse array of issues. Peters cited the Federal government's recent passage of the Justice for Victims of Trafficking Act as one area where NCSL's work has paid off.

Peters reported that NCSL continues a full-court press on the reauthorization of the Elementary and Secondary Education Act. In February, NCSL, in collaboration with the National Governors Association, released principles for the act's reauthorization. NCSL is pleased to report that Senate legislation has passed out of committee and it reflects a majority of the priorities that were approved by NCSL and the National Governors Association. NCSL and NGA will continue to work on improving the governance language to restore more responsibility to elected state policy makers. In May, a group of state legislators were working in the halls of the Capitol to ensure that their voices were heard in those matters, Peters said.

Peters highlighted that Senator Bramble testified before a Senate subcommittee on the reauthorization of the Federal Surface Transportation Programs in May. In his testimony, Bramble stressed the need for Congress to provide both sustainable and predictable funding and financing options, and the need to provide states the flexibility to explore alternatives to fuel taxes. NCSL also joined other state and local organizations to host a briefing for congressional staff to stress a similar message, Peters reported. While the expiration of these programs has been pushed back to the end of July, NCSL continues to meet with congressional staff and has been advocating for a pilot program for states to explore transportation funding alternatives to fuel taxes. NCSL is hopeful that this will be included in any legislation that moves forward.

Peters provided an update on federal activities related to e-fairness legislation, also known as the Marketplace Fairness Act. The Marketplace Fairness Act passed the Senate in the last Congress, while the House had a number of reasons why they could not support the bill. Since then, NCSL and the National Governors Association have been working with the officers of Congressman Jason Chaffetz and Congressman Steve Womack to incorporate the changes that the House recommended. The Streamline Sales Tax Governing Board, which is an offshoot of NCSL from about ten years ago, has also been working to create language that addresses the items that Chairman Goodlatte has said are necessary for the bill to pass. Peters stated that Chairman Goodlatte has failed to pass a bill that works for states and

that he has neglected to include states in the conversation about the legislation. Instead his legislation proposes to change the method of taxation from a destination-base to a hybrid-origin-base sourcing regime, Peters said. Peters told the Committee that Representative Chaffetz plans to propose draft legislation on June 15.

Peters reported that NCSL has been making many staff visits in conjunction with the Streamline Sales Tax Governing Board and the National Governors Association. NCSL and Streamline Sales Tax were in the audience of a congressional subcommittee hearing in Washington, D.C. on June 2 Tuesday. Peters told the Committee that the hearing dealt with a lot of issues that have been familiar to legislators working on issues pertaining to state and local taxation, such as mobile workforce and digital goods. While e-fairness was not specifically a topic of the discussion of the subcommittee hearing, the subject was discussed quite a bit.

Finally, Peters concluded her report by stating that NCSL will be filing a brief in support of Tennessee in the U.S. Court of Appeals for the Sixth Circuit regarding the preemption by the Federal Communications Commission of state laws regulating municipal broadband networks. More details on this are available in the full report found in the meeting agenda book. Peters advised that since that report was written, the State of North Carolina has joined the lawsuit.

BUDGET, FINANCE & RULES COMMITTEE

Senator Bramble recognized Jon Heining, general counsel with the Texas Legislative Council and staff chair of NCSL's Bylaws and Rules subcommittee to discuss proposed changes to NCSL's rules of procedure. Heining stated that there has been a general recognition over the last couple of years that the rules of procedure needed to be updated and placed into a more logical order. Heining reported that the subcommittee met in New Orleans during the January meeting to discuss the changes. Heining acknowledged the contribution of NCSL staff members Neal Osten and Max Behlke on this project.

Referring committee members to a copy of the proposed changes to the rules of procedure, Heining noted that the document has been reorganized. Portions have been stricken, the vast majority of which is purely non-substantive, simply recognizing the fact that there is no longer a Fall and Spring business meeting; there's only a Forum business meeting and the Annual business meeting. The only substantive change to this document is a result of a request from staff, Heining said. The rules of procedures have been amended to accommodate the request that the overall staff co-chairs and vice chairs have two-year staggering terms.

A motion was made to adopt the rules of procedure as amended. The motion was unanimously approved.

Senator Bramble asked Bill Pound to brief the Committee on the FY16 NCSL budget. Pound reiterated that NCSL is on target to finish with a slight surplus for FY15. Pound reported that NCSL would collect between 90-91% of the assessed dues in 2015, which is in line with projections.

The FY16 budget varies in several major particulars, Pound stated. The budget proposed for next year contains a salary pool of 3% for NCSL staff, as was the case in FY15, after not having had one for four consecutive years during the economic downturn, Pound said. The budget contains a pool of nearly 3% for range and grade adjustments, which primarily benefit entry-level and less senior grades of the organization. NCSL is currently behind in terms of staff compensation in the Colorado market as well as

in the Maryland, Virginia, and Washington, D.C. markets in which the organization competes for talent, Pound explained to Committee members.

Pound told the Committee that the FY16 budget anticipates that there will be a dues collection of 92% or better next year. At the business meeting in Minneapolis in 2014, the Executive Committee approved a 3% dues increase in each of the fiscal years '16 and '17, Pound stated. The increase has been the major driver in the revenue increase for the conference. The budget also anticipates that the Seattle Legislative Summit will generate a greater revenue than it has during the last two or three years due to increased attendance and to changes that have been made to the meeting. Pound told members that changes would be evident in Seattle; the goal of which is to cut the costs both to NCSL and to the host state on the fundraising side.

Pound reported that the FY16 budget for NCSL anticipates increased revenue from grants and contracts as well. Indirect cost recovery from grants and contracts are projected to be 10 to 15% higher in FY16 than FY15. It's been a gradual growth, Pound said, but NCSL has seen revenue growth in several different areas in the budget.

One of the other areas where NCSL has experienced growth, Pound told the Committee, is through the solid fundraising efforts of the Foundation for State Legislatures. Pound thanked those who were in attendance to represent Foundation member companies, saying that their support funds some of the key projects and innovations at NCSL.

Pound noted some changes in the budget. Pound reported that there are two areas of increased expenditure: 1) more investment in the area of member outreach, where NCSL continues to increase efforts with quite a bit of success, and 2) greater expenditures on IT activity. Pound reported that feedback from the NCSL staff survey reflected the sense of the staff that NCSL's technology was not as up-to-date as it might be. In response, NCSL is adding more features on the web, placing a greater emphasis on web development, and is investing in upgrades to both hardware and software throughout the organization.

Senator Bramble concluded the discussion of the budget by stating that the Budget, Finance and Rules committee had a robust discussion of benefits, healthcare costs and the budget, and that the committee unanimously recommended approval of the proposed budget. A motion to approve the FY16 NCSL budget was made and passed unanimously.

Bramble called the Committee's attention to the approval of the grants and contracts report, stating five grant proposals required the approval of committee members. A motion was made to approve all five proposals; the motion carried unanimously.

MEMBER OUTREACH AND COMMUNICATIONS SUBCOMMITTEE

Karl Aro, Staff Chair of the Member Outreach and Committee, began with a report on the 2015 Legislative Summit in Seattle on behalf of host state representatives Senator Randi Becker and Representative Jeff Morris, who were unable to be in attendance due to a special session in Washington. Aro reported that the Member Outreach and Communications Committee were told that registration for the 2015 Summit is at 2,250 as of June 5, which is ahead of recent years during the same timeframe. Aro reported that speakers at the Summit will include futurist Sheryl Connelly, Amazon Cloud creator Andy Jassy, economist Christopher Thornberg, and historian John Meacham whose newest book, *Thomas Jefferson: the Art of Power* is a New York Times bestseller.

Aro advised that new features at this year's Summit will include a number of deep dive sessions, each two and a half hours in duration. Topics for deep dive sessions include marijuana legalization, transportation funding, brain science and early education, and the "future of everything". These sessions are designed as roadmaps to help lawmakers and staff to move from developing legislation all the way through the process of getting bills passed, Aro explained. Additionally, a selection of seven sessions will be live-streamed as they occur; it is an effort to reach out and engage constituents who may be unable to attend the meeting in person, Aro said.

Aro told the Committee that the Washington host committee is also planning some fabulous tours for Summit attendees and their guests. Tours will include lake cruises, a tour of the Boeing jet assembly plant, Tillicum Village which provides an authentic experience of indigenous culture, a wine tour, and a tour of Seattle city highlights. Social events during the Summit will include a kick-off reception called "A Taste of Washington" which will be held at the Seattle Convention Center on Monday evening and a Seattle-style block party on Wednesday night. The Space Needle and the Chihuly Gardens and glass museum have been reserved for the Wednesday event, and there will be street performers, musicians, artists as well as wonderful food and wine.

The Member Outreach and Communications committee also heard a brief report on the 2016 Summit which will be held August 8-12 and will be at the McCormick Center. The second tower of the Convention Center hotel has been completed, and NCSL has secured a block of 1,000 rooms there, Aro said.

Aro reported that the committee also heard a briefing on the website, particularly on the NCSL app that's being developed. Unlike previous years where the app was only for the Summit, the new app will be available year-round and will contain many useful new features, Aro said. The Committee was also briefed on the "My Account" portion of the website, where users can select preferences. Aro reported that the project is coming along, and that new features will be added as the project moves forward.

The Committee was also briefed by Representative Kaufman on the American Democracy game and his experience seeing it in action at Massachusetts middle school. Kaufman said that he had a very positive experience with using the game to learn about American democracy. Development of the game was a joint project between NCSL and the Entertainment Software Industry, an NCSL Foundation member.

Senator Bramble concluded the Member Outreach discussion by issuing a challenge to fellow legislator members of the Executive Committee to encourage three colleagues to attend the Summit in Seattle. Bramble promised that he would buy a steak dinner for the Executive Committee member-state that exceeds Utah on legislative registrations for the Summit.

LEGISLATIVE STAFF COORDINATING COMMITTEE

Peggy Piety, NCSL staff chair, began by thanking all of the LSCC members who participated in the meetings in Denver.

The LSCC has been working on Summit planning, and Piety reported that Sari de la Motte would again be presenting during the Legislative Staff University session at the Seattle Summit. De la Motte was the most highly acclaimed speaker on the Summit evaluations from 2014, and she will be back in Seattle this year to present an advanced course on communication. Piety reported that Ken Jennings, all-time

Jeopardy champion, would be speaking during the Salute to Legislative Staff luncheon about the use of knowledge. As a part of the new, deep-dive programming, LSCC is sponsoring a staff breakfast on Thursday morning in which Jeff Hurt is going to focus on the future of work: Six Radical Changes Disrupting the Next Decade.

The LSCC also discussed use of e-learning funds that are provided by the Foundation. Historically the funds have been invested mainly in webinars, but LSCC is also discussing the possibility of developing podcasts and video-taped sessions either at the Summit or at the Staff Sections Fall Professional Development meetings, Piety said.

Other projects that the LSCC is working include a reorganization of the webinar webpage; it is now more streamlined and searchable, so that all those great webinars that have been offered in the last two or three years are more available. Piety encouraged attendees to visit the webinar page, saying that legislative staff especially may find resources there that they might have missed.

Piety reported that the LSCC have also been developing several video projects in conjunction with Mick Bullock. A video will be shot at Summit on how to put together a successful webinar. The Legislative Institutions Committee is also creating a video. The committee is seeking three to five success stories from both legislators and staff on how the legislative institution worked to feature in the video.

The LSCC is continuing to look at the State House Ambassador Program to determine how the services provided could be improved and more effectively be delivered, Piety said. They examined programs in term-limited states and after much discussion, it was decided that there's nothing specific in programming or services that need to be added for staff in term-limited states. Because all staff, particularly staff in states where there's been a lot of turnover have similar issues, there was discussion about how staff might be better prepared to deal with change in term-limited states and in other states with high turnover. Developing programming to address building relationships and trust with legislators and other legislative staff was one recommendation that came out of the discussion.

The LSCC is also continuing to work on ways in which the benefits of the Legislative Staff Management Institute (LSMI) could be provided to a larger staff audience. This year's LSMI will have record-breaking numbers of legislative staff that have enrolled.

Letters were sent to the staff directors of state legislative agencies asking for new staff appointments to the NCSL Standing Committees. Piety reported that 160 new legislative staff committee member appointments have been received, and that follow up is planned for states that have not yet responded. The Standing Committees are also filming videos for the orientation next fall on frequently asked questions for new Standing Committee staff officers. The Standing Committees working group is also trying to find ways to use social media to reach out to the membership of the Standing Committees. As part of this effort, Piety reported that they're testing a new group text app called "Groupme".

Piety announced that she has appointed the Staff Nominating Committee which will be interviewing candidates for staff vice chair and for the seven at-large openings for staff on the Executive Committee in Seattle. Former NCSL Staff Chair Michael Adams from Virginia will be chairing that committee, Piety concluded.

STANDING COMMITTEES REPORT

Ken Levine, staff co-chair of the Standing Committees, presented the report of the Standing Committees. Levine referred members to the chart of recent activities in the agenda book. Levine congratulated NCSL staff on their work, saying that the members of the nine Standing Committees have been engaged in NCSL and the committee work despite the length of time between the Forum in December and the Summit this August. Levine said that much of the work was conducted through webinars and conference calls, which have been very effective at moving the business of the Standing Committees forward.

Levine reported that the Education Committee met this spring for a stand-alone meeting the weekend of May 15 to 17, and 25 committee members were able to attend. Other Standing Committees are looking at hosting additional stand-alone committee meetings next year.

The committee staff have been reaching out to newly appointed members of the Standing Committees to provide materials about their role as committee members and, most of all, the importance of registering for the meeting in Seattle. In terms of appointments to the Standing Committees, NCSL has made great progress since the meeting in January when we were just beginning the process of reaching out to the presiding officers to ask that they appoint legislators to the various standing committees. So far NCSL has received new appointments of committee members from 53 chambers and are still working on the outstanding nominations. As was mentioned previously, we've had a fairly good response in terms of staff appointments to the Standing Committees; efforts to draw out new staff members to reinvigorate the staff sides of the Standing Committee are progressing.

Legislator and legislative attendance for Seattle is strong, so the Standing Committees will be well attended in Seattle. Levine reported that there was good discussion about NCSL staff reaching out once again to the co-chairs of each of the Standing Committees to ensure that the issues they want to see represented are on the program and that the speakers give a good, balanced perspective on each of the issues being worked on by the Standing Committees.

Finally, Levine reported that NCSL committee staff are continuing to reach out on directives and resolutions, which is the large body of work that needs to come forward for the annual business meeting, and those efforts are progressing.

FOUNDATION FOR STATE LEGISLATURES

Senator Pamela Althoff, president of the NCSL Foundation, presented the Foundation report. The Foundation approved an extraordinarily ambitious fundraising goal of 2.3 million dollars for fiscal year 2015, Althoff reminded the Committee. Thus far, the Foundation has raised slightly more than 2 million dollars and commitments have been made for the additional \$300,000. Althoff reported that the Foundation anticipates that it will hit the goal or perhaps even exceed it.

The Foundation has recruited 19 new sponsors; one platinum, ten gold and seven silver sponsors. In addition there were three gold upgrades, four platinum upgrades. This compares to 16 new sponsors at this time last year, Althoff said. Among the new sponsors is former Oregon state senator and former NCSL president, Bruce Starr with iCitizen.

Senator Althoff concluded the Foundation report by asking all Foundation member representatives in attendance to stand and be recognized.

OTHER BUISNESS

Senator Bramble recognized Representative Rosie Berger, who proposed a memorial resolution regarding the National Institute of Civil Discourse. Berger, who served on NCSL's Legislative Effectiveness Committee for several years, noted that the Committee would continue their work in Seattle on improving civility, not only within state legislatures, but with the hopes of encouraging civic discourse in Congress. Many national leaders come from state houses across the nation; Berger suggested that if civil discourse were strengthened in the states, it could make an impact in Washington, D.C.

Before proposing the resolution, Berger shared a story with the Committee about the origin of the resolution. Many years ago, Berger had the privilege of participating in a leadership program with Congresswoman Gabrielle Gifford, in about 2005. Berger found her to be an amazing young woman with a great future. In January of 2011, Gifford was shot in an attempted assassination at a Tucson supermarket where she was civically engaging with her constituents. In response, the University of Arizona formed a foundation along with many former leaders of our nation, including Ted Celeste on the NICD program. The foundation felt that the NICD program was a great way to memorialize Gifford's experience and how she demonstrated leadership for future generations.

Berger told the Committee that she has had the opportunity to facilitate and work with other states that have implemented this program. Berger said that the program has been successful at developing relationships with members and helping legislators to work across the aisle.

Senator Bramble asked for a motion on the resolution. Senator Bo Watson of Tennessee posed a question to the sponsor of the resolution. Watson quoted an excerpt of the proposed resolution, "...due to dissatisfaction with partisan gridlock, name-calling and rhetoric, the federal government shutdown, economic uncertainty, and lack of civility among elected officials...". Watson argued that most of those examples are general with the exception of the federal government shutdown, which is a specific event. Watson acknowledged that there may be members of the Executive Committee that see the shutdown as an appropriate action to be taken. Watson stated that he was uncertain about whether he could support the resolution if it refers to a specific activity that Congress has taken. Watson proposed to amend the resolution to strike the language "the federal government shutdown" from the resolution.

Senator David Long of Indiana spoke in support of the proposed amendment to the resolution. Senator Bramble motioned to pass the resolution as amended. The resolution was passed unanimously.

Senator Bramble asked Beth Loudy, executive director of the State Government Affairs Council (SGAC), to come to the front of the room. Bramble then introduced a resolution to honor SGAC. Bramble told the Committee that 2015 marks the 40th anniversary of SGAC and the 31st year that SGAC have partnered with NCSL. Bramble stated that it has been a very mutually beneficial, symbiotic partnership.

Bramble read the resolution aloud, "Therefore be it resolved the officers of the National Conference of State Legislatures commend SGAC for outstanding service and dedication for fostering the professional growth of state government affairs professionals in the nation's most influential companies in promoting efficient and effective government. Be it further resolved, SGAC is recognized for 40 years of dedicated service and support to state government affairs professionals and its longstanding collaboration with the National Conference of State Legislatures."

Before presenting the plaque, Bramble called for the committee to vote to adopt the resolution. The resolution was passed without objection. Senator Bramble and William Pound presented the resolution to Loudy.

Meeting adjourned.