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**Capitol View**

**Commentary by J.L. Schmidt**

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**Clerk of the Legislature Pat O’Donnell Retiring**

The longest serving clerk of the Nebraska Legislature said he was first alerted of coming changes to the nonpartisan nature of things about five years ago.

Patrick J. O'Donnell has been clerk for 44 years. He has been appointed to that post every two years and serves at the pleasure of the Executive Board. He’s retiring at the end of the year, meaning the 2023 Unicameral will tab his successor. He will be sorely missed, not only for his institutional memory but also for his knowledge of the rules and regs that keep things running smoothly.

Clerk doesn’t begin to cover what O’Donnell brought to the session each year. Manager would better fit the daily task of making sure the elected Speaker of the Legislature or the reigning Lieutenant Governor followed the agenda and kept things on track. His legal advice to the two individuals came from a law degree, years of experience and a thorough knowledge of legislative rules and the state constitution.

He was, as one pundit observed, “the canary in the coal mine.”

A canary in a coal mine is an advanced warning of danger. The metaphor originates from the times when miners used to carry caged canaries while at work (1911-1986); if there was any methane or carbon monoxide in the mine, the canary would die before the levels of the gas reached those hazardous to humans.

Fortunately, O’Donnell isn’t dead, but he’s leaving the cage.

When the 2017 Legislature convened with a predetermined and very partisan list of committee chairs, O'Donnell knew that things were changing. Republicans orchestrated and captured every chairmanship except two. The current move afoot to require record voting on Committee chairmanships (they've been secret ballots since the Unicameral began) is just

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another step toward partisanship. Changing that would destroy the culture and nature of the nation’s only one house nonpartisan legislature.

A champion of the current nonpartisan one-house system, O’Donnell admits that it’s not perfect, but it was even better before partisan politics reared its head.

Remember those senators who came to get things done? O’Donnell told reporters he can name a few and has one all-time favorite, the late Jerome Warner of Waverly because he was “the ultimate statesman.”

The others are an interesting mix: Omaha attorney Vard Johnson who carried the water for Gov. Kay Orr to secure passage of the infamous LB775 which kept ag giant ConAgra in Omaha (for a time); Lincoln attorney Chris Beutler who went on to become Lincoln mayor; farmer, pilot and entrepreneur Loran Schmit of Bellwood who fought for ethanol production and once proposed building a pipeline from Wyoming to Ohio to move coal slurry (it didn’t fly); Omaha defender of the downtrodden Ernie Chambers who had the skill to bring the Legislature to a halt but also turned out to be a great negotiator and asset for the process. He said Ernie had purpose.

O’Donnell was known as the enforcer to legislative staff and reporters who would often push the envelope when the “house was under call” which meant that only senators could be at their desks and non-essential personnel had to be at the side under the balconies. One never wanted to see Pat step out from behind the podium during these times.

He once directed a legislative page to ask me to move “several tables to the east” from where I had been seated under the south balcony enjoying a mid-afternoon snack of a Capitol Cafeteria ice cream sandwich (two large chocolate chip cookies with vanilla soft serve between them). As I later learned, the public television cameras had been focusing on two senators in that direction during a tense debate but he was afraid viewers might focus on my enjoyment of that dessert goodie.

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That’s good house management. I don’t remember the debate or who won. I do remember apologizing.

O’Donnell is going to be missed and the legislature is going to be the worse for wear. He said he’ll be gone but will be paying attention.

We should all be paying attention, so we don’t lose the nonpartisan advantage that has set the legislature apart for so many years.

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*J.L. Schmidt has been covering Nebraska government and politics since 1979. He has been a registered Independent for more than 20 years*.