

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board May 19, 2025

**HANSEN:** All right. OK. All right. Good afternoon and welcome to the Executive Board. My name is Senator Ben Hansen. I represent the 16th Legislative District, and I serve as Chair of the Executive Board. For the purpose of noting attendance, I would like the members of the committee to introduce themselves again, starting on my right with Senator Clements.

**CLEMENTS:** Rob Clements, District 2.

**FREDRICKSON:** John Fredrickson, District 20.

**BALLARD:** Beau Ballard, District 21.

**DORN:** Myron Dorn, District 30.

**JACOBSON:** Mike Jacobson, District 42.

**IBACH:** Teresa Ibach, District 44.

**ARCH:** John Arch, District 14.

**McKINNEY:** Terrell McKinney, District 11.

**HANSEN:** OK. All right. Also assisting the committee is our committee clerk, Natalie Schunk, and our legal counsel, Benson Wallace. So, with that, we'll move into the first item on the agenda today for the Executive Board, and that would be the travel expense reimbursement requests. We did have two of them-- wait. Oh yeah, so we have two different locations. [INAUDIBLE] locations--

**BENSON WALLACE:** This one just came in just now [INAUDIBLE]

**HANSEN:** OK. Gotcha, OK. All right. So, I think what we'll do is move through-- there's-- by location. And so, we have one, two, three, four senators going to Saskatoon for the CSG conference, and I figure we would just accept those first, then move on to another one.

**JACOBSON:** So moved.

**DORN:** Second.

**HANSEN:** And there's been a motion to accept those travel requests. We'll do roll call.

**NATALIE SCHUNK:** Senator Ibach?

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**IBACH:** Yes.

**NATALIE SCHUNK:** Speaker Arch?

**ARCH:** Yes.

**NATALIE SCHUNK:** Senator Ballard?

**BALLARD:** Yes.

**NATALIE SCHUNK:** Senator Dorn?

**DORN:** Yes.

**NATALIE SCHUNK:** Senator Fredrickson?

**FREDRICKSON:** Yes.

**NATALIE SCHUNK:** Senator Jacobson?

**JACOBSON:** Yes.

**NATALIE SCHUNK:** Senator McKinney?

**McKINNEY:** Yes.

**NATALIE SCHUNK:** Senator Hansen?

**HANSEN:** Yes. And then, and then lastly, we have Machaela-- Senator Cavanaugh going to Dublin, Ireland; the American Irish State Legislators Caucus Summit. Is there any comments about that? If not, then I'll entertain a motion.

**ARCH:** So moved.

**FREDRICKSON:** Second.

**HANSEN:** There's been a motion and a second to accept the travel request. Roll call.

**NATALIE SCHUNK:** Speaker Arch?

**ARCH:** Yes.

**NATALIE SCHUNK:** Senator Ballard?

**BALLARD:** Yes.

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**NATALIE SCHUNK:** Senator Dorn?

**DORN:** Yes.

**NATALIE SCHUNK:** Senator Fredrickson?

**FREDRICKSON:** Yes.

**NATALIE SCHUNK:** Senator Jacobson?

**JACOBSON:** Yes.

**NATALIE SCHUNK:** Senator McKinney?

**McKINNEY:** Yes.

**NATALIE SCHUNK:** Senator Hansen?

**HANSEN:** Yes.

**NATALIE SCHUNK:** Senator Ibach?

**IBACH:** Yes.

**HANSEN:** OK. And then next, we have the biennium salary adjustments, and I will let Benson talk about that for a second.

**BENSON WALLACE:** Yeah, so, as normal practice, the legislative council tends to follow the salary adjustments for biennium that NAPE, the public employees' union, negotiates and sets. And this year-- well, this biennium, we're doing 3.25% this July 1, and then 3.25% the next July 1. And this is in addition to the 1% pay advance that us as a legislative council are doing next January 1. It is in the budget; it was budgeted for when we did our budget request this year. So, there is money there. And as far as I can see, in the past, we've tend to always followed whatever NAPE negotiates with the rest of the state employees that aren't part of the legislative branch.

**HANSEN:** Senator Arch.

**ARCH:** Did, did we vote on the January 1%? Is that a-- is that a vote that we need to take, or did we?

**BENSON WALLACE:** Think you would have-- you didn't yet? We just have it. OK, yeah. So, we wouldn't need to do that one as well.

**ARCH:** Yeah.

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**BENSON WALLACE:** Typically-- I know this one's always done before we leave for interim.

**ARCH:** The one-- this one?

**BENSON WALLACE:** Yeah.

**ARCH:** For the July 1? Yeah.

**HANSEN:** I, I kind of brought this up because I thought-- I didn't know-- it, it-- I feel like these are salary adjustments or raises we get with maybe out-- without much oversight from their employers. I know as an employer, a lot of times we have-- we do annual reviews. And just like we do right now for staff, we have the ability to say you get this raise, and they even have a sliding scale about how much you can give somebody as a raise. And I just didn't know if we have any of these that we would allow division directors, then, to, to allow them to do reviews, and then they can determine the salary. Like, we set the maximum but then division directors or their boss can determine how much they want to get. I didn't know that was ever a thought, or if that's something-- I don't know if the-- I don't know if it's a practice we've ever done in the past, or if that's even appropriate or not. I didn't know. Anybody, thoughts on that? As opposed to, like, everybody, blanket raise. What if there are some employees who are not, you know, doing as well as the raise should-- would have? And how do we know that? And the only people I think who do know that are the-- their employers or their bosses. Yes, Senator Jacobson.

**JACOBSON:** Well, I guess my only concern with that is that you get a lot of pressure probably as the-- where the staff's working together, that you tend to go to the maximum. And it would always be good to probably have some consulting along with just one person making that decision. Just my opinion.

**HANSEN:** I could see it kind of going both ways, when you have some employees who maybe know there's one employee who's not living up to their standards, and they're not doing a very good job but they still get the same raise that everybody else gets.

**JACOBSON:** And, and that would get me back to making-- the employer making the recommendation to whoever is deciding on that, to-- I think this one's underperforming or overperforming, and it gets taken into consideration. I am reluctant to just-- it-- it's too easy, I think, if one person who you report to is going to just make that decision.

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**HANSEN:** Yep. And I don't want to say we have to make any decisions now. [INAUDIBLE] since we're bringing this topic up, I don't know if that's something we would ever think about doing in the future, instead of just-- I don't-- how, how do you judge performance from an employee, and whether they're doing good or bad? I don't know how you do that. And then, what the basis is on how much they get paid based on-- I'm thinking as an employer myself, that's usually what I do. I mean, raises, a lot of times, are determined on how well they're doing. And I have kind of a sliding scale that says "here's my maximum" a lot times, but-- if I feel like, you know, I have a-- I have an almost a report card for my employees, saying communication, all this kind of stuff, and then we can sometimes base it on that, to some extent, so. I don't know. I-- when I was brought this, I just-- I, I asked those questions, and I just wanted to bring it up in front of the board to potentially, maybe in the future, maybe look at doing something like that, that we can at least hold some people to some kind of standard about how much they get paid. Yeah.

**JACOBSON:** Well, we have a process that we use in the, in the other world that I'm in, which is-- it's a four-by-four. Or, it's a-- and, and not to be confused with a two-by-four. But we-- you basically have four questions for the employee; you both answer it, and they deal with, what do you think you've accomplished? What do you plan to accomplish? How well have you, have you done? I mean, kind of unique where we really haven't gone to formal HR in the Legislature, but it's some kind of an annual review, if you will, to measure if, if things are going the right way or the wrong way. You don't want to go along where one day everything's fine and the next day you're fired. Usually, attorneys have something to say about that when that happens.

**HANSEN:** I know, I know it's a unique-- like, I'm a private employer, now we're talking about public sector jobs.

**JACOBSON:** Right.

**HANSEN:** I know it's a little different perspective. I just don't know how you do that. Senator Arch?

**ARCH:** I, I, I think the discussion is very worthwhile. I think that-- I think over the summer we can do some-- we can do some research into-- my understanding is there was a period of time when there were evaluations required, and then they dropped it, and, you know. I think looking back and seeing what was the experience, and, and what is, what is-- if we're going to do something like that, what's that

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system? And I-- it probably requires quite a bit of discussion, but certainly worthwhile.

**HANSEN:** Yeah. OK. Senator Ibach?

**IBACH:** Thank you. I think that, to your point and to Senator Jacobson's point, I also think that we've talked a little bit about holding division and department heads accountable, and that could be part of the process with holding them accountable for their own staff. And so, maybe it's something that we have a little bit of oversight, as far as how the division and department heads conduct their inspect-- or, their employee reviews, too.

**HANSEN:** Sometimes-- I wouldn't say to enhance performance, but to at least bring some responsibility to performance, saying, well, our maximum is 3.5%; we're going to give you a 3% raise this year. Then, maybe there's some expectation, at least some feedback to the employee, man, I don't-- maybe he didn't see me doing as good a job as I could. Well, how can I improve? But if there's none of that there, I don't know. I don't know if there is right now, anyway, so. Anyway, just a thought for some other time. Yeah. Senator Fredrickson.

**FREDRICKSON:** And I also think about, I think, with this is, you know, a few things. One is kind of considering what the percentage of the raise is, and sort of whether this is kind even culturally viewed as, like, a cost-of-living adjustment versus like a performance-based or a merit-based raise, is something to think about. But the other thing is, you know, just see, like, the divisions themselves and their ability to attract workforce; if senators are constantly giving the maximum, for example, raise, that might be tough for divisions to compete with, so.

**HANSEN:** Yeah. I guess we don't know until ever give them the option to. Like, they might give them all the maximum all the time.

**FREDRICKSON:** Yeah, yeah.

**HANSEN:** But-- I don't know. Yes, Marcia, if you want to come up here, you can answer a question. That way you have a microphone. Could you please spell both your first and last names, too, please?

**MARCIA McCLURG:** Marcia McClurg, M-a-r-c-i-a M-c-C-l-u-r-g, Revisor of Statutes. I was here in the past where they had a 5% option; you could get up to a 5% raise. At the time, there were some senators who never gave anything, never gave some of their staff any raises because they thought they were coming to work and doing what they were supposed to

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do; there were some Senators who always gave the max. In our division, we were doing performance reviews, and the Revisor would meet with every staff member and then decide how much of the 5% to give to each staff member. It did not continue to be funded after about five years, and so she told me at a later point that she wished she had given everyone the max all the way along so that when the funding left, the staff would have been at a par with those who had gotten 5% from their senators all along. And so, measuring performance is a bit tricky, and trying to continue to be competitive with other brand-- with the rest of the divisions in the Legislature and then the state government as a whole tends to be tricky as well. And I would, I would recommend more discussion, and would be glad to be involved, if that were to be-- to go forward.

**HANSEN:** Yeah. Well, that's very helpful. Didn't seem like a very efficient method when everyone just kind of-- you know? And I know how that looks, too. If you're a div-- if you're an, an employer and were dealing with, you know, it's not their money, technically-- the corp-- you know what I mean? They want to look as good as they can to their employees, but I don't think that fosters a very effective work environment to hold people accountable for maybe not doing as well. Like, I don't know how you'd do that with this. And maybe there's some other states that do it well, but maybe that's something we can kind of look over the interim and see if there's some formula or something we can do, so. Thank you. Yeah, Senator Arch.

**ARCH:** I would just add one other thing. The business world doesn't do this all great either, you know? I mean, they-- everybody tries to implement something like this, where the managers are, are making those tough calls, and they're giving direct feedback, and then, and then there's all sorts of-- but I have high performers, every-- everybody in my department's a high performer, and, you know-- it, it is a constant struggle, even in the business world, to have something like this, so. However, I mean, there's, there's steps that could be taken. One, one, tying percentages to outcome, but the other is a-- is, is a job performance review requirement at an annual date that-- everybody gets one. I mean, at least a step, right? Not necessarily-- and then the authority is, is granted to the division director to make the call; you get 2%, you get 7%, but, but maybe, maybe starting with kind of putting that into the culture of-- there is going to be a standardized performance review. There's a-- something the employee fills out, there's something that the supervisor fills out; they sit down, they have a meeting, they both sign-- you know, a step.

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**HANSEN:** Yeah, because that's kind of what my idea [INAUDIBLE] so. OK. Senator Dorn.

**DORN:** Thank you, Marcia, for coming up and making some of those comments, and even Speaker Arch, here. One thing we don't have on the-- the business world, they can tie it somewhat to profitability or how good a year they had financially. We don't have-- we, we do in a way here, by our budget, and by our funding for the budget, or less income or not. But we don't have that every year, X number of dollars you made profit, I'm going to put this out as a bonus, or something like that. So, we have a little bit different performance standard here than a, a, a direct business.

**HANSEN:** Yep. Any further discussion? OK, so we are approving-- remind them again.

**BENSON WALLACE:** I mean, typically, would-- you would just do it for the biennium because the money's already been budgeted. It'd be a three-and-a-quarter, so six-and-a-half total, over two years.

**HANSEN:** OK. All right. I would entertain a motion to accept a biennium salary adjustment.

**ARCH:** So moved.

**DORN:** Second.

**HANSEN:** Been a motion and second. Again, any further discussion? Roll call.

**NATALIE SCHUNK:** Senator Ballard?

**BALLARD:** Yes.

**NATALIE SCHUNK:** Senator Dorn?

**DORN:** Yes.

**NATALIE SCHUNK:** Senator Fredrickson?

**FREDRICKSON:** Yes.

**NATALIE SCHUNK:** Senator Jacobson?

**JACOBSON:** Yes.

**NATALIE SCHUNK:** Senator McKinney?

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**McKINNEY:** Yes.

**NATALIE SCHUNK:** Senator Ibach?

**IBACH:** Yes.

**NATALIE SCHUNK:** Speaker Arch?

**ARCH:** Yes.

**NATALIE SCHUNK:** Senator Hansen?

**HANSEN:** Yes. OK. And so, then now we'll move into exec session, so with that, we'll have to have everybody exit the room, please.