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Executive Board January 9, 2026
Rough Draft

HANSEN: As an Executive Board, we do have a few things on the agenda. So I'll start off again here. Good afternoon and welcome to the Executive Board. My name is Senator Ben Hansen, I represent the 16th Legislative District and serve as chair of the Executive Board. For the purpose of noting attendance, I would ask members of the committee to introduce themselves, starting on my far right with Senator Clements.

CLEMENTS: Rob Clements, District 2.

McKINNEY: Terrell McKinney, District 11.

BALLARD: Beau Ballard, District 21.

BOSTAR: Eliot Bostar, District 29.

IBACH: Teresa Ibach, District 44.

DORN: Myron Dorn, District 30.

FREDRICKSON: John Fredrickson, District 20.

ARCH: John Arch, District 14.

JACOBSON: Mike Jacobson, District 42.

HANSEN: Also assisting the committee is our committee clerk, Natalie Schunk, and our legal counsel, Benson Wallace. And so with that, we'll move on to the first item on the agenda and that has to do with the Fiscal Office's recommendation for the budget request, which is what we heard from Keisha. You can come up here, just if anybody has any further questions, if you could please. Yeah. And this is pretty much pertaining to what we talked about yesterday.

KEISHA PATENT: Yes, I'm Keisha Patent, that's K-E-I-S-H-A P-A T-E N-T, I'm the Legislative Fiscal Analyst. And this item relates to the Legislative council submitting a budget request to increase their new General Fund appropriation and offset that cost by lapsing some reappropriated funds back to the General Fund in the numbers shown on the handout that I provided you yesterday.

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Executive Board January 9, 2026
Rough Draft

HANSEN: OK, is there any further questions or discussion anybody has? Speaker Arch.

ARCH: I just, just as a question for Senator Clements, there's no issues that you see in, in Appropriations doing something like this--

CLEMENTS: No.

ARCH: --right? So it's a matter of, it's just a matter choice. We do it this way or we do it that way, right?

CLEMENTS: Yes. And it increases our base, which we've been needing to do because our base is less than what our real expenses are. So we're, we're using up June 30th carryover of over \$9 million and raising our base by \$7 million. And we'll still end up at the end of the, the budget cycle with about \$2.8 million. That's where I always have wanted our budget to end up. And it's-- yeah, so it's almost revenue-neutral, it's \$353,000 is all the effect is to the budget, which we'll be able to absorb.

ARCH: I mean, from what I-- what you just said, it sounds as though it would be a more accurate representation of our expenses.

CLEMENTS: Yes. Yeah, that brings our, our base, our budget back really up to what we're spending. And then we will, the \$7 million that would have been used up in our expenses, it's going to go back to the General Fund. And then the General Fund will fund the increase in the base. And it is more accurate representation of what we're really spending. And it would require a huge increase in the next budget if we didn't do it-- do some of it now.

HANSEN: OK. So this is something we'll take a vote on, so I'd pretty much say I would entertain a motion.

DORN: I'll make a motion to approve it.

HANSEN: OK. Is there a second?

BOSTAR: Second.

HANSEN: There's been a motion and a second to approve. Any further discussion? All right, seeing none, roll call.

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Executive Board January 9, 2026
Rough Draft

NATALIE SCHUNK: Senator Ibach.

IBACH: Yes.

NATALIE SCHUNK: Senator Arch.

ARCH: Yes.

NATALIE SCHUNK: Senator Ballard.

BALLARD: Yes

NATALIE SCHUNK: Senator Bostar.

BOSTAR: 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.

NATALIE SCHUNK: Motion carries.

HANSEN: OK, thank you. So now we have number two on the agenda is to reappoint-- the reappointment of Julie Rogers to public council. And did you want to come up and speak at all or-- OK, just making sure. Yeah, sorry.

JACOBSON: You don't have to.

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Rough Draft

ARCH: Does everybody know who she is?

HANSEN: Yeah, just making sure. OK. Is there any discussion at all?

BOSTAR: I'd move the reappointment.

FREDRICKSON: I'd second that.

HANSEN: Alright, there's been a motion and a second. Any further discussion? Roll call.

DORN: I do have a question quick.

HANSEN: Yeah?

DORN: This still goes in front of the body then?

ARCH: I believe that's correct. Yes. Yes. I'm getting--

DORN: Just clarification, that's all.

ARCH: I'm getting the heads nodding yes, it does.

DORN: Yeah, OK.

HANSEN: OK.

JACOBSON: And just for the record, I will require all of my appointees to have to come up and tell us.

HANSEN: Just like to make sure.

JACOBSON: Just to let you know.

HANSEN: Roll call.

NATALIE SCHUNK: Speaker Arch.

ARCH: Yep.

NATALIE SCHUNK: Senator Ballard.

BALLARD: Yes.

NATALIE SCHUNK: Senator Bostar.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board January 9, 2026
Rough Draft

BOSTAR: Yes.

NATALIE SCHUNK: Senator Dorn.

DORN: Yes. Sorry.

NATALIE SCHUNK: Senator Fredrickson.

FREDRICKSON: Yes.

NATALIE SCHUNK: Senator Jacobson.

JACOBSON: Yes.

NATALIE SCHUNK: Senator McKinney.

McKINNEY: No.

NATALIE SCHUNK: Senator Hansen.

HANSEN: Yes.

NATALIE SCHUNK: Senator Ibach.

IBACH: Yes.

HANSEN: All right, number three on the agenda, Mr. Clerk, would you like to come up and discuss a little bit about the pricing for the blue books?

BRANDON METZLER: Thank you, Mr. Chairman, members of the board. My name is Brandon Metzler, B-R-A-N-D-O-N M-E-T-Z-L-E R, Clerk of the Nebraska Legislature. Your agenda says "price of the blue books," the actual materials that were distributed yesterday are a little bit more broad than that. The goal today is to kind of have a discussion with some of our print-- your printing expenses of the Legislature, primarily focused on, on my division, the Clerk's Office, but there is some broader printing questions I think you can have. Essentially, what I'm asking is to-- you have authority as the Executive Board to look at the printing of both the blue books, the session laws, and the printed bound journals. I want to first start by saying thank you to Senator Ibach. She doesn't know this, but her AA is actually was, was the catalyst for this. This summer, we distributed the bound journals and she said, we have these online, we have a copy in our office, why

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Executive Board January 9, 2026

Rough Draft

do we need so many copies of these materials? And we kind of dove into it and said, we really are printing in excess. If you remember, a couple years ago I came to the board and we talked about print-on-demand for bills and amendments. We were printing every bill, every amendment, tons and tons of copies. I mean, we literally went through a ton of paper every year, throwing that away. That's 2,016 pounds of paper, 744 gallon trash cans were hauled out from our Bill Room, throwing away all this excess paper that we were printing. We went to a print-on-demand. We saved about \$250,000 a year in printing costs. We are now printing what we need. As lobbyists, the public, your office has requested, it gets printed instead of kind of this bulk to have in reserve. What I am asking is some, some consideration of doing that from a session law or a-- and bound journal perspective. Right now within the statute, you have the ability to distribute that physically and/or digitally. You really-- from my email yesterday, you may have seen you really have-- the decision point is how drastic you want to go with printing. I know Senator Hansen and I have had discussions on some possibilities of going all-digital. You certainly have that option available, at least with these items, as it pertains to the stuff that, that's under my shop. The statute says we can distribute those entirely digitally, as well as the blue books. That's an Exec Board policy, we could distribute those digitally. I caution that only because I think if you do that, you may start to hear some pushback from those agencies that are now required to make those printing-- to print those themselves. Whether, you know, you're, you're ready for that, that's a conversation, but they're going to tell you they didn't budget for it in this budget cycle. So I would caution at the very least, maybe it's a 2027 item, and tell them, you know, prepare in your next budget cycle, you are going to be printing those materials. So, ultimately, it's more of a discussion piece. I think there's some significant savings you can kind of see there, if you start to go through that. You know, you're looking at on the third page, I think it is-- sorry, no, the fourth page, you get to that chart. If you subtract those, I'm bad at math, Senator Clements will have to correct me, but it's somewhere just below \$170,000, if you take the total cost of printing and subtract if you only printed externally-- or internally, if you only printed stuff for the Legislature and had all those other agencies print, you know, agencies, counties, schools, libraries, that sort of thing. I mean, there's a large amount of printing that we do that we distribute then to these other organizations, entities, et cetera. You know if you're

only going to print internally, you save significantly year over year. Again, that probably shifts that cost to those, those individuals. The other thing I would like to propose, the alternative to that I think, that may be kind of the first step in this, at the very least would be consolidating both the responsibility to print the cost-- the fiscal cost to print, with the responsibility to distribute. The problem that you have right now as a Legislature is we have the burden on us within the statutes to pay for the printing. Those other entities, and you can see kind of in the materials, whether it's the Secretary of State or the Supreme Court in the case of statute books, they have the responsibility to actually distribute those. They are not going to tell us don't print as much. I mean, they are not doing-- and nothing against them, nor, nor would they be expected to go and solicit whether or not there are a need for this. You know, the statute says they get this many. Every year they get these many, they distribute them accordingly. What I would propose is potentially the less drastic step would be consolidating that to where not only do we pay for the printing, but we also are the distributor in the sense of we can then create a program, ask these people, these entities annually, do you still want this? Because I will tell you with conversations we've had with several of these entities, the agencies especially, they are entitled to these, these items, these publications, and they have asked-- they've, they've refused them and statutorily, we are required to continue to print them and give them to them. So we're kind of at this, you know, we have to give this to you. So the idea would be kind of flip that presumption and say, we will print what we need to print, you know, whether that's my thought initially would be at the start of every January. We would have a program that would send out an email, tell them, you know, hey, you're the representative for, you know, Nemaha County, you are entitled to these four publications: two copies of this, three copies of this, one of this. How many of those physically do you want this year? And then right before we're set to run that, that publication run, just remind them, hey, you're still entitled to these. You're set get them. Did anything change? Do you still want these? They're on their way. That's kind of trying to get ahead of some of this to where we're not just printing in bulk and, and there's this expectation of printing. We can kind of scale that back on a needs basis. I want to pause and I say it in here, Marcia and I-- I don't want to speak for Marcia. She and I had had conversations with the Supreme Court. That is not my division. I know-- I don't have the numbers in there as to their printing. I can't

speak to that. I know Senator Hansen can, can reflect on that and, and share. I don't know what those numbers are, but that's up to you guys to have a discussion with other divisions. All I can say is from our division, the session laws, the bound journals, the blue books, I think even just with those, there's, there's some significant savings available.

HANSEN: Yes, I think just recently we had to sign to pay for a lot of those publications, and it was an extraordinary amount. And I think, just in the effort of updating some of our policy or even statute, and being more efficient with taxpayer dollars, I think as an Executive Board and a Legislature, I think this is one of the ways that we can do that maybe we haven't looked at before. And I think-- I thought that was also one of the kind of crazy notions, is that people are saying we don't want these and we're like, no, we still have to spend taxpayer dollars to print these to give to you to throw away in essence or never look at. And that seemed a little ridiculous in this day and age with everything becoming more digital. And so I had the notion, so Mr. Clerk and others about how do we now then incorporate more of the digital copies of these publications, but also not taking the right away from some of these people to then request? They may want some of those books on their shelves to look good in the county clerk's office, I don't know. But then I don't think that should be the onus of the Nebraska taxpayer Legislature then to provide that when we're providing you a digital copy. So not taking that away from them, they can still request it, but I think we should start looking at maybe now the onus of the, the fiscal responsibility being on those entities who want them. Because we're, I think, maybe it made sense before, but I think now, in this age, when we can provide a digital copy that saves the taxpayer money, I think we should try to move [INAUDIBLE] first. And if somebody else wants something different, we can look at other ways to do it.

JACOBSON: Are we printing these internally or are we putting a printer out of business now when we take all this printing away?

HANSEN: The printer that we use is not located in Nebraska, so.

BRANDON METZLER: Yeah, yeah, at least for depending on which, which publication you're talking about.

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JACOBSON: That's even better.

HANSEN: Yeah, Senator Clements.

CLEMENTS: I see on this one page to senators, 322 copies to the state senators. Each senator has a book, three for the office and one for each staff. Those are definitely being wasted.

HANSEN: Yeah, and I think, again, I think internally within the legislative body and the Legislature and this branch of government, I think we should still be able to provide them at what, what we've currently been doing, but then also give them the option to say we don't want them, or I'm fine with a digital copy. Ask them first, and then they request if they want the paper copies. So we're not taking anything away from them, we're just maybe making it more efficient. So [INAUDIBLE].

CLEMENTS: Then with the agencies, your suggestion of waiting until 2027 where they're, they're not in their budget right now, I think it would be best to defer on agency requirements.

HANSEN: Yeah. So would this-- and one second here, would this require any change in statute then? Because I'm assuming it would, correct?

BRANDON METZLER: It does, depending on how much or how-- this is not the answer you want to hear, but depending on which route you go and how much you want to do that, it does. If you want to, it's, it's counterintuitive, or at least it seems like it to me, where if you want to go all digital, you actually don't need to require a statute change. Your policy says right now, at least for my materials, your, your session laws and your bound journals, the statute says you can distribute those entirely digital. You would just tell the Secretary of State and the, and the counties that this year, there-- it's a digital distribution. The problem, as Senator Clements pointed out, is then that puts the burden on them if it's entirely digital. So it may be the case where you put out a letter saying, you know, just notice that in 2027 the intention will be that these will be fully digital. This year, they would not. If you want to switch the presumption of printing in that we distribute and they have to ask us for, you know, how many they want printed, then that will require statute change because right now statute says Secretary of State, again, is the distributor, Law Library, et cetera. Other entities are the

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Executive Board January 9, 2026
Rough Draft

distributor. So it's a little backwards to where if you want go digital fully, you don't have to do anything. If you want to kind of switch it to where it's on-demand, you do need to make a statute change.

HANSEN: That's what I figured. And I figured that'd be the best approach, but I think if we do end up changing something in statute, I, I would like to see the Executive Board as a whole do that. So this would probably be an Executive Board bill. So but I'm, I'm not opposed to going all digital, but I think that kind of takes away maybe some people's right who might want the paper publication for whatever reason. But I think the onus should be on them then to pay for it. Yes, Senator Fredrickson.

FREDRICKSON: I guess my, my question is kind of for the Clerk. So I tend to lean towards what you were just saying in terms of I think as much digital as possible is great, but I think having the option to request and, and self-fund and kind of giving the fair warning. Are there any sort of maybe like unintended consequences of shifting how we print things to something like more on-demand, for example, like I imagine that might affect pricing, bulk pricing and net savings are going to be higher, I'm assuming but yeah.

BRANDON METZLER: Right, that was my only-- you know, your per-item, and I've had some internal conversations about that and we've run numbers. Your per-item cost will go up, but your total, you know, cost, instead of \$250,000, yeah, it now costs, you know, \$100 to print every book instead of \$25, but you're printing, you know, so fewer books that you're still going to see astronomically significant savings compared to where you're at now.

FREDRICKSON: Thank you.

HANSEN: Senator Dorn, did you have a--

DORN: Yeah, I guess my question is, what, what is your policy now of somebody getting an online thing? Or do you have people requesting those, or do you automatically send a certain number out online? Or what, what-- where does that lie?

BRANDON METZLER: So right now, everything is available digitally.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board January 9, 2026
Rough Draft

DORN: OK.

BRANDON METZLER: So your blue book is on the website, your bound journal, your session laws, all that's on website. We then have for the blue book per Executive Board policy, we then print, run a number, and, and those are distributed to, you know, libraries, schools, the Legislature, agencies. That same document is available digitally for those entities, which is why many of them have said, we'll just use the digital.

DORN: OK.

BRANDON METZLER: But there are a select number, whether it's in statute for bound journal session laws or it's in policy for the blue books, there are individuals we are required to or continue to give hard copies.

DORN: So you're required to give those hard copies and then you do, but are there entities that are request-- I think you've referred to it-- they're requesting why give us a hard copy, we're doing it all online?

BRANDON METZLER: Right, I know having talked to Marcia, and I don't want to speak for Marcia, but my understanding is that's certainly happened with statutes and agencies. We have tried to pare some of that back because the way, the way the statute is written, there's enough flexibility to say, I think we could technically not give them, so we've worked with some agencies, but without express Exec Board approval, I'm, I'm most comfortable for you all to say you don't need to do this versus, you know, our office making the decision of we're not going to do it because we think the statute could be interpreted that way.

HANSEN: OK. Yeah, Senator Bostar.

BOSTAR: Chair, is this a bill that you're looking at working up for this session?

HANSEN: Mm-hmm.

BOSTAR: OK.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board January 9, 2026
Rough Draft

HANSEN: That's why I wanted to have a discussion today, and I can run it by everybody. We'll put our heads together and kind of come up with something--

BOSTAR: Right.

HANSEN: --and see what everybody says and get everyone to sign on. If you can provide an educated opinion on an estimate on maybe how much this might save Nebraska taxpayers if we decide to go that route and say the majority of people then are choosing digital.

BRANDON METZLER: If you do, if you do internal exclusively, you're looking at, let me see, that's 25, that another 34, so 59 plus, those are biannual, that's 31. Probably a little over \$200,000. \$200,000, \$250,000 every two years.

HANSEN: OK. And that's if every sen-- every senator in the legislative branch did--

BRANDON METZLER: And that's assuming that you're doing full internal distribution to the level you are now, in which every internal entity is given a printed copy.

HANSEN: So I'm sure there will be some people are like, we don't need-- we're fine with digital. Like even senators, I'm sure, so.

BRANDON METZLER: Yeah.

HANSEN: OK, so that's a significant savings. At least we're trying to do what we can, so. All right, I'll run that by everybody in the coming days. Anything else? OK, all right, thank you. You want to-- OK.

BRANDON METZLER: Can I-- sorry, one more thing.

HANSEN: Yeah. Yeah.

BRANDON METZLER: I will-- I'm, I'm going to bring this back up to the board, but while we're on the topic of savings, if I could, Speaker Arch at yesterday's chair meeting had talked about history requests and, and I did want to say we have 166, 171 now, we have five this year. So we do get a significant number of history requests. I did wanna approach the board about changing the way that we charge for

those history requests. I don't know where the calculation came. We got dinged by the auditor three or four years ago for, for how we calculated. We calculate history requests based on the number of pages, in that anything under 10 pages we don't charge for. Once you hit an 11th page, we charge for the first 10 and then anything above 10. My goal-- so if you continue to ask for 10 pages printed and you never hit your 11th, we never charge you. My request would be to look at that, and we've run the numbers to request that we charge on a per-page basis regardless of how many pages they're asking for. If it's two pages, it's going to be ten cents, but at least there's some standard. The auditor had asked us for some standard of, of calculating how those would be paid for. So I'll bring that as an Exec Board decision at a future date, but I wanted to have that conversation.

HANSEN: Speaker Arch.

ARCH: Are you printing those requests now, or is that all digital?

BRANDON METZLER: It depends on if they ask for it. Many of the-- that's only if it's printed. If they ask for it digitally, there's no cost associated with it.

ARCH: OK.

BRANDON METZLER: But there are entities, especially like certified copies, the court systems, where attorneys, the AG, a lot of them need those certified copies for, for judicial proceedings. So those do get printed. And that's where the charge usually comes in.

HANSEN: OK, anything else for the Clerk? All right. Marcia, yep, thank you. Marcia, do you want to come up?

MARCIA McCLURG: I apologize, I wasn't quite ready for this discussion today. But I wanted to at least mention that right now the official version of the statute books are printed. What is online is an unofficial version provided for the convenience of all users. It mirrors the exact print copy as best as we can. We do make corrections on the online version that we are making to the print version, but the print version won't be printed again until a year later. So the online version is not the official version. I certify the print version. Currently, the way our contracting works, I need to set an amount that I'm going to order of print volumes. So ordering-on-demand or

print-on-demand isn't an option at this point. For those, I think that would be a bigger discussion as far as the statute books go. And I don't see that it's a good policy to have the public pay for statutes when those are the governing documents of their lives, and so they need access, free access to the statutes. So the, the statute books, we do charge for the books themselves, but it's not an inordinate amount compared to the volumes you get from Westlaw or LexisNexis. The cost of their value-add is amazing. And so what we're doing is pretty economical for the state to put out just the statute books, their supplements and that system we currently have. We could look at a change in distribution. The Revisor of Statutes Office started in the judicial branch and the Legislature brought it over to the legislative branch. But in the beginnings of the state, all the distribution of all the laws was done through the judicial, judicial branch. And that's why it's there and it's just historically stayed there. And we could possibly bring that in-house and save some money on distribution. And we have, when I started with the Legislature, we were printing 5,000 copies of the statute books. And my most recent order was for 1,800. So the Revisor's Office has lowered the amount we are ordering. And we still have more than we probably should in storage in warehouses, but we've been trying to watch the market and, and slow down the number we're ordering at one time. But to go to a digital official version would require important policy decisions to be made as to how those online statutes are kept current and may require more personnel to keep. As, as you pass bills with emergency clauses, that changes the law that day or the day the Governor signs it. So updating the official version online is going to take more resources personnel wise than we currently have to continue to keep the online version up-to-date on a daily basis. But if we continue to the system we're doing now, I do see that that we could do some savings if we look at the distribution portion. But again, I think we need to plan in advance for that and not just do it this year on that issue. And I would also be willing to answer any questions, if anybody has any.

MARCIA McCLURG: OK. Any questions? Speaker Arch.

Just a comment. There is a bit of irony in all this because it sounds like your online version is actually more accurate than the, than the printed copy, but it's not the official version.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board January 9, 2026
Rough Draft

MARCIA McCLURG: Correct.

ARCH: Got it.

HANSEN: Yep.

DORN: When you say "official version," what, what does that mean? That's because then in court, they can use that or what-- or yeah?

MARCIA McCLURG: The statute requires the Revisor of Statutes to publish and certify the laws in the statute books as the correct version of all the laws that have been passed by the Legislature. And so that's the version that has been certified as official, not the ones that are on the website.

DORN: So they can they can never go online and use that in court, they have to have the book?

MARCIA McCLURG: Yes. I will caveat that the books are online.

DORN: Oh, OK. When, when the books come out, then they're online.

MARCIA McCLURG: The Clerk has put PDFs of the version of the statute book online, so the certified version is online. You could print out the whole book and have the volume. But there's also a searchable website, and that's what's not official. That's the ones that we don't certify.

DORN: Thank you.

HANSEN: OK, any other questions? All right, seeing none, thank you. Appreciate it. All right. Well, again, we can revisit this and I'll visit with everybody later and kind of see where we want to move forward and what we're-- what we want to do, if anything. So, so that will conclude number three on the Executive Board agenda. And we will move on to number four, which is a vote remaining on the position for the Safety Committee and--

BENSON WALLACE: Yeah, if you guys remember, it was like a month ago, we had-- it was a tie in the last spot. We just kind of punted. And then we were going to do it, and then we didn't. So now it's between the final third spot of the three employee members, and it is Trevor

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board January 9, 2026
Rough Draft

Fitzgerald and Matt Howe, [INAUDIBLE] Senator Hughes's LA. So vote for one of those.

HANSEN: So basically write one of those names down on the pad and we'll collect them and we'll vote on them.

FREDRICKSON: Can you say the names again?

BENSON WALLACE: Trevor-- and Matt Howe.

ARCH: Trevor Fitzgerald. Trevor, Trevor and Matt-- House?

BENSON WALLACE: Howe, H-O-W-E.

ARCH: Oh, Howe.

BRANDON METZLER: Trevor Fitzgerald has been elected as the last member of your Safety Committee.

HANSEN: All right, we can cross that one off the list now. All right, and so the next item involves an internal personal matter that is both rare and extraordinary. Because of this, I believe it is appropriate that this meeting be held in a closed session, not open to the public, including members of the news media. So, pursuant to Rule 3, Section 16B, I would entertain a motion to go into closed session.

JACOBSON: So moved.

IBACH: Second.

HANSEN: There's been a motion and a second. Roll call vote.

NATALIE SCHUNK: Senator Ibach.

IBACH: Yes.

NATALIE SCHUNK: Senator Arch.

ARCH: Yes.

NATALIE SCHUNK: Senator Ballard.

BALLARD: Yes.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board January 9, 2026
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NATALIE SCHUNK: Senator Bostar.

BOSTAR: 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.