

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 2, 2026
Rough Draft

HANSEN: Ben Hansen, I represent the 16th Legislative District in Washington, Burt, Cuming, and parts of Stanton Counties, and I serve as chair of the Executive Board. I would like to invite the members to introduce themselves starting on my right, with Senator Clements.

CLEMENTS: Rob Clements, District 2.

McKINNEY: Terrell McKinney, District 11.

ARCH: Bo Ballard, District 21.

BOSTAR: Elliot 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 legal counsel, Benson Wallace, our committee clerk, Sally Schultz, and our committee page, Lexi. A few notes about our policy and procedures. Please turn off or silence your cell phones. We will be hearing one bill, which is listed outside the hearing room. On the table near the door to the hearing room, you will find green testifier sheets. If you are planning to testify today, please fill one out and hand it to the page when you come up to testify. This will help us keep an accurate record of the hearing. If you're not testifying at the microphone but want to go on record as having a position on a bill being heard today, there are yellow sign-in sheets at the entrance where you may leave your name and other pertinent information. Also, I would note, if you are not testifying but have online position comment to submit, the Legislature's policy is that all comments for the record must be received by the committee by 8 a.m. the day of the hearing. Any handouts submitted by testifiers will also be included as part of the record as exhibits. We would ask if you do have any handouts that you please bring 12 copies and give them to the page. We use a light system for testifying. Each testifier will have 5 minutes to testify. When you begin, the light will turn green. When the light turns yellow, that means you have one minute left. When the light turns red,

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it is time to end your testimony, and we will ask you to wrap up your final thoughts. When you come up to testify, please begin by stating your name clearly into the microphone, and then please spell both your first and last name. The hearing will begin with each introducer giving an opening statement. We will then hear from the supporters of the bill, then from those in opposition, followed by those speaking in a neutral capacity. The introducer of the bill will then be given the opportunity to make closing statements if they wish to do so. On a side note, the reading of testimony that is not your own is not allowed unless previously approved. And we do have a strict, no prop policy in this committee. So with that, we will begin today's hearing with LB1237, and I'll turn it over to Vice Chair Ibach.

IBACH: Thank you, Chair Hansen. We'll give you a minute to get situated and then you may proceed.

HANSEN: Good afternoon, Vice Chair Ibach, and members of the Executive Board. My name is Ben Hansen, that's B-e-n H-a-n-s-e-n, and I represent Legislative District 16. As chairperson of the Executive Board, I am here today to introduce LB1237 on behalf of the board. LB1237 is the product of consultations between legislative, executive, and judicial branch leadership, in coordination with Nebraska State Patrol. These discussions focused on the need for appropriate security measures to ensure that all Nebraska residents can enjoy the State Capitol and participate safely and fully in all government functions carried out within the building. This bill does 2 main things: it enhances security measures at our State Capitol by prohibiting the unauthorized possession of weapons or prohibited substances inside the building; and it assigns clear responsibilities to the Nebraska State Patrol to implement detection procedures. In recent years, we've seen a dramatic rise in threats against elected officials and government buildings across the nation. According to the U.S. Capitol Police, threats against members of Congress surged to nearly 15,000 cases in 2025. That's up from 9,500 in 2024 and 8,000 in 2023, marking a, marking a continued escalation over the past decade. "Broada"-- broader data shows violent threats towards public servants have increased sharply since 2015, expanding from federal levels to local officials, like school board members and election workers. Our Capitol is a symbol of democracy where legislators, employees, and the public gather daily to conduct the people's business. It's essential that we take proactive steps to ensure a safe environment without compromising accessibility or constitutional rights. LB1237 addresses this by prohibiting weapons, defined as items like firearms, knives, brass knuckles, pepper spray, tasers, or stun guns, and prohibited

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substances like explosive, incendiary devices, hazardous materials, or paint. It makes it a Class III misdemeanor to knowingly enter or attempt to enter the Capitol with these items, with sensible exceptions for individuals who receive prior approval from the Nebraska State Patrol, for on-duty law enforcement officers, and for qualified active or retired law enforcement officers carrying concealed handguns under federal law. Additionally, the bill updates Section 81-1108.15 to require the Nebraska State Patrol, after consulting with the Governor, the Chief Justice, the Executive Board of the Legislative Council, and the State Capitol Administrator, to implement security procedures no later than January 1, 2027. These procedures will focus on detecting weapons and prohibited substances, substances to prevent violations, building on the Patrol's existing role in Capitol security. LB1237 is a commonsense measure to protect everyone who works in or visits our Capitol, while respecting the rights of law-abide-- law-abiding citizens. It doesn't ban all items outright, but focuses on unauthorized possession inside this specific public building. By clarifying these rules and empowering the State Patrol, we can deter potential risks and maintain the Capitol as a secure place for open government. So one thing I wanted to expand on a little bit is some of the emails and conversation I've been hearing from constituents and people across Nebraska, about how this is unconstitutional. And from my understanding and from the-- my legal counsel and others I've talked to, and from the fact that this has been conducted in multiple state capitals and government buildings throughout the nation and our own state, I believe it not to be unconstitutional at all. So I want to kind of throw that out there already, that we may hear some opposition saying it's unconstitutional. And from my understanding, it is completely not unconstitutional. There might be some other concerns-- that makes sense-- and maybe what this can lead to from us, as legislators, you know, affecting other people's Second Amendment rights in other laws that we pass. And I can tell them I'm probably one of the most pro-Second Amendment senators, because of the laws that I've passed and the ones that I've co-sponsored, in this Legislature. And if there is anything that's hindering our Second Amendment rights outside the State Capitol, then I will fight. So I just want to put that out there now that I don't believe any of us have any intention of affecting anybody's Second Amendment rights or their constitutional ability to carry outside this building. But I believe we have to have some kind of balancing act between respecting their rights for their Second Amendment, but also respecting our rights to protect the people inside this building. That does not include just senators and staff. That

includes everybody who walks in this building, including hundreds, if not thousands of fourth-grade students that we mandate coming here. And I don't think anybody would disagree that over the course of time, especially the last few years, we've seen the environment we have to work in be a little bit more politically charged, emotional, and even at times, violent. I know we've seen it, some of my colleagues here, sitting across from me have seen it, in the Rotunda, you know, I mean, even in our own offices. And currently, there's nothing stopping somebody from walking into this building carrying a firearm, going right to a senator's office, and causing harm. I believe there should be some kind of reasonable measure to make sure that does not happen, which is why I brought this bill. Now, if people in opposition or support have other reasonable solutions, I am willing to hear them. So I just want to put that out there now, and I can listen to what everybody says. And on closing, I can make some other following comments. Thank you.

IBACH: OK. Thank you, sir. Are there questions from the committee?
Senator Arch.

ARCH: Thank you, Senator Hansen. You, you outlined there's 2, 2 issues with the bill. One, one is to prohibit weapons, and then the other is to direct the State Patrol, I think, I think you used the term, to implement detection. A lot of detail yet to come with-- I mean, it's a very broad, broad bill. What-- do you envision anything specific, with regards to detection? In other words, would you - well, I'm just going to stop there and, and, and ask that question.

HANSEN: No, it's a good question. I get the idea, and I've heard some of this, too, that we're making the Capitol now, a soft target. That would be, I'm assuming, the fact that we are going to post a sign out there that says you cannot carry firearms in here, which, I would not disagree, could make us a soft target. While we're talking about detection-- and again, we're leaning on law enforcement with this quite a bit. We're going to work with them. This is not like a do-all-this-or-nothing type bill. If it needs to be tweaked and we need to listen to what the law enforcement/State Patrol says, we will. But this could mean the implementation of metal detectors at specific entrances or an entrance, you know what I mean, to make sure that we're treating everybody who walks in this building the same-- I mean, so we know who is, who is carrying a firearm and who is not.

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ARCH: So just a followup question with that. So then the, the goal would be that when you finally get implemented that the only people that would be authorized to carry weapons would be law enforcement.

HANSEN: Yes.

ARCH: And, and the detection would, in essence, level the playing field. I mean, I think that's, I think that's one of the concerns that I've heard from constituents is, is, you know, if, if others are able to carry and I can't, then, you know--

HANSEN: That's some of the emails--

ARCH: That's not fair. It's not, it's not safe.

HANSEN: Yes. That's some of the emails I've gotten, as well.

ARCH: Yeah, OK.

HANSEN: And that might be the idea that we're thinking that we are now making this us a soft target, but no, [INAUDIBLE].

ARCH: So your intention, your intention with this detection, that word, is to take it to some type of mental detector, and, and then make sure that others do not have weapons with them and we have law enforcement that are authorized.

HANSEN: Yeah, I'm trying-- I think the approach is to try to make it as fair as we possibly can.

ARCH: Right.

HANSEN: And so, I think the only way you can truly make it fair-- and I always hate using the term fair--

ARCH: Yeah.

HANSEN: --but treating everybody the same. So that way, nobody unauthorized is carrying a firearm in the Capitol.

ARCH: OK. All right. Thank you.

IBACH: Thank you, Speaker Arch. Are there other questions from the committee? Seeing none, thank you, Mr.-- Senator Hansen--

HANSEN: I've been called worse. That's fine.

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IBACH: --for your, for your testimony.

HANSEN: Thank, thank you.

IBACH: All right. Are you going to sit up here or are you going to sit out?

HANSEN: I'll sit up here. Yeah.

IBACH: OK. Perfect. All right. At this time, we will ask for proponents of LB1237 to come forward. Thank you very much.

RON CUNNINGHAM: Senator Ibach and fellow Executive Board members, Ron Cunningham, R-o-n C-u-n-n-i-n-g-h-a-m. As I understand, the intent of this bill is to ensure all Nebraskans' safety within the Capitol, which I support. I have many fond memories of trips of grandma and the grandkids, observing the Lincoln skyline from the observation deck, playing hide and seek up there, listening to the echoes, but I also remember 2020. There were loaded firearms brought into committee hearings. It seems strange to me that cardboard props-- they just identified or not-- are prohibited, but it's OK if you bring in your assault rifle. The Governor at that time publicly thanked advocates who did that, and we now have constitutional carry. I'm a lifetime gun owner. I've shot recreational-- I'll bet I've killed more ducks, geese, and quail pheasants than probably anyone here. But I testified against LB77. When I was testifying against the constitutional carry, I heard so much disinformation. Some senators-- state senators said it was unsafe in Lincoln and they feared coming here. At the time, I thought, could it possibly be that we had a mayoral election coming up? Others said it was a God-given right. I've often wondered, if it is, why didn't God just have David shoot Goliath? Or when-- why aren't there guns allowed in churches then? And my favorite: more guns make us safer. I've heard that so much. More guns make us safer. If that's the case, we should be in the Capitol providing a firearm as you come in, just like you do when you go to a movie-- a 3D movie? They give you 3D glasses. Give everyone that comes in a gun. And of course, we have the old standby, the Second Amendment. Many testifiers provided their own alternative facts regarding Justice Scalia, along with those of Justice Cavanaugh. Most of you voted for that legislation. I have no actual knowledge, but I assume there are current senators who are constitutional carriers. LB1237 appears to be a card-out bill. It seems hypocritical to me to be concerned about grandma and her grandkids' safety while at the Capitol, but you're totally in opposition when she takes them to a movie after leaving the Capitol.

It's like saying grandma and grandpa, if they get shot, we don't want it at the Capitol. But today, some senators have concerned about their safety, and I'm sure it's justified. Are all senators prior approved to carry if, if this passes? I think it says in there, if you get a prior approval. Well, then can someone else get prior approval? The reason I'm, I'm for this, to pass this, I don't want any grandma or anyone being shot anytime and anywhere. Thank you very much.

IBACH: Thank you very much. Are there questions for Mr. Cunningham from the committee? Seeing none, thank you for your testimony. Other proponents? Welcome.

JESSIE McGRATH: Good afternoon, Senators. My name is Jessie McGrath, J-e-s-s-i-e M<-c-G-r-a-t-h, and I'm a resident here in Lincoln. I come here today to voice my support for LB1237. And it may seem somewhat strange that someone like me would be here supporting this. I am a lifetime NRA member. I own numerous, numerous firearms. I am a veteran of both the Nebraska and California National Guards, where I served as an armorer, and I've built a whole bunch of guns-- AR-15s that I use and that I enjoy. When I came back to Nebraska after living in California for a number of years-- I just retired in May of-- or June of last year, after 37 years as a prosecutor for the Los Angeles County District Attorney's Office. I was shocked to see individuals carrying firearms in this Capitol, because almost everywhere I've been across this country, you can't openly carry guns in government buildings. And it makes good, common sense. But yeah, here we were. And so last year I actually came a couple of times armed, and I think I made some of the senators in the Legislature a little bit nervous. Because I'm a trans woman, and what the hell is a trans woman doing openly carrying a firearm in the Capitol? It's my right. And I am somebody who has been around firearms her entire life. And so I figured I would go ahead and do that. I was actually trying to force a Ronald Reagan and the Black Panther moment for this Legislature. I wanted you all to, to see me carrying a gun because that's what Ronald Reagan did when the Black Panthers were open-- openly carrying firearms at the Capitol in Sacramento. They banned the open carry of firearms in the entire state. Now, that ban has been, I think, subsequently ruled unconstitutional, at least by the 9th Circuit. But it is constitutional, as Senator Hansen mentioned. In the case of District of Columbia v. Heller, Judge Anton [SIC] Scalia, in deciding that case, which held that individuals do have a right to a Second Amendment protection, they specific-- he specifically stated that this does not overrule the ability to prohibit firearms in sensitive places, like schools and government buildings. So if someone's going

to come up here and say you know it is unconstitutional to do this, it is not. The Supreme Court was pretty clear on that, that there are certain places where you can outlaw firearms. And frankly, I think this is one of the places where it should be. Now, that puts me at a little detriment. Because if I'm here late some time testifying and I have to walk 4 blocks away out there, where there's somebody could be targeting me, I would be unarmed. But I'm willing to take that risk for the safety of the rest of the public in this state. So, thank you.

IBACH: Thank you very much. Are there questions for this testifier? Seeing none, thank you very much.

JESSIE McGRATH: Thank you.

IBACH: Other proponents for LB1237? Welcome.

CORA JONES: Thank you. Senator Ibach, members of the Executive Committee, my name is Cora Jones, C-o-r-a J-o n-e-s, and I'm speaking on behalf of New Voices, a youth-led, nonpartisan, civic engagement organization working to expand democratic participation across Nebraska. I'm here today in strong support of LB1237, a bill that will ensure the safety of those engaging in Nebraska's policymaking process. At New Voices, one of our focuses is to encourage youth in Nebraska to civically engage, and that it's easier to do when there is not the threat of a weapon in those spaces. LB1237 would help ensure that everyone, and especially young people like myself, feel safe making their voices heard on legislation. Testifying is already a scary, anxiety-inducing task, and a weapon or a threat of one makes that process scarier. We also wanted to take this opportunity to urge you to recognize the need for increased gun control across Nebraska, not just in the Capitol. If you're in support of this legislation, you recognize the need for gun control, as it protects the safety of our public officials. We urge you to not only pass LB1237, but to support more protections related to weapons in other spaces across Nebraska. New Voices is asking you to realize that the time is now to save the lives of all of your constituents, especially the lives of young Nebraskans. Guns are the second leading cause of death among children and teens in Nebraska, and an average of 17 children and teens die by guns every year in our home state. I have personally felt the repercussions of the culture that decision-makers have allowed to persist with the failure to pass stricter laws, and I can tell you that it is nothing I should have had to go through. There doesn't need to be an actual weapon in the room to make someone feel unsafe and passing LB1237 today would ensure that your constituents feel at ease.

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New Voices stands in support of this leg-- this legislation because progress is progress, because we-- but we want to remind you that this is not enough. You're making changes to protect yourselves and your constituents while they're inside this building, but we urge you to take action to protect innocent lives outside of the Capitol, as well. Nebraska doesn't require gun owners to report lost or stolen weapons. We don't require a permit to conceal carry, and we lack proper laws requiring child-proofing features on guns. These are extremely simple, yet effective policy changes that could be made to save lives, and they are policy changes that do not infringe on Second Amendment rights. As gun violence only continues to grow, we encourage you to take steps beyond LB1237 today to ensure safety in our community. Thank you for your time, and I'll take any questions.

IBACH: Thank you very much. Are there questions for this testifier? Seeing none from the committee. Thank you, Miss Jones, for testifying. You're very articulate. Are there other proponents, proponents for LB1237? Seeing none, we'll move on to opponents. Are there any opponents of LB1237? Welcome. We could address you by several different titles, so.

TOM BREWER: Well, you can probably stay with Colonel. I'm good with that. Thank you, Vice Chair Ibach and members of the Executive Board. My name is Tom Brewer. That's T-o-m B-r-e-w-e-r. I am the former Senator for the 43rd Legislative District, and I'm here today to testify in opposition to LB1237. After spending 8 years in this body as a senator, I understand that people get angry. That happens a lot in this building, especially this time of the year with all the new legislation and all. My challenge is that I don't think the answer is to make a crime of being prepared for self-defense. The answer is not to spend millions on a lockdown of the Capitol. This building should be open to the public. It is the people's house. Our Capitol security personnel are honorable and hardworking men and women. But unfortunately, in a, in a gunfight, their, their radios and keys are not going to do us much good. And it's, it's a challenge here, because for a lot of those that come to testify, as some that testified before me have said, you end up parking a pretty good distance away. It's one of the things I wish we would have done during my time here, is figure out a way to build a parking complex closer, so the public could get easy access to this building. But this bill would say that visitors are committing a crime unless they totally disarm before getting out of their cars to walk what might be 3 or 4 blocks. And I believe it's wrong to force people to choose between being able to defend themselves and being able to be part of this legislative process here.

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And you know, there were times, and you guys all remember some of the more controversial bills, where it was a little nerve-racking at what was going to happen after we had a vote. So let, let me-- I don't want to not share some ideas, and I'll speed up here. The first one would be, if you take this building off the prohibited places for conceal carry, Nebraskans shouldn't have to give up their constitutional right-- to exercise one constitutional right for another. The gun-free zone, I think, is something that many have been able to work with, and we'll give Kansas as an example. And I can explain that to you in questions if you want. The second thing that I would say is that you're going to spend a lot of money securing this Capitol, and I think that money can be better used in training Capitol security. I think that the Capitol security should be able to be armed so that they're more effective in what they do. It takes some of the burden off Patrol and that requirement is essential to, to have a level of security that you need. and I'll hold up now.

IBACH: Thank you. I'm guessing you'll have a question. Are there questions from the committee? Senator Bostar.

BOSTAR: Thank you, Chair. Thank you, sir, for being here. It's good to see you.

TOM BREWER: Good to see you.

BOSTAR: Did you have further thoughts and recommendations that you wanted to share?

TOM BREWER: Well, first off, the concept of what you're doing, I think is good. And, and the idea of securing the Capitol-- let's take, for example, Kansas. What Kansas does is they have a policy where, if you're a concealed carry person, you can identify with the State Patrol. When you come in, you're logged, documented, and that way, you're able to be in the facility. The, the other challenge that I think you're going to have, is unless you lock down the Capitol 24/7 that it's opened, the ability to stash a weapon or something is there. Well, if you look at that, that does complicate things. The way it is now, if you're a committee chair, as I understand it, you can request and have a mental detector for your hearing. You still have the court secure with metal detectors. So those 2 key areas are accounted for. My concern would, would simply be the cost and the demand in order to do it right. Because if you just do it for certain periods, and then it's open, where people can stash things, then I, I don't know that you've gained anything. And that's, that's ultimately what you're

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trying to do here, is to make sure you don't have an incident happen, and the problem with a lot of these incidents is, is the people that do them think them through, and so you have to figure out how to counter that. But for those that spent time on the bill, I went through it. You have-- we have given the State Patrol a pretty good challenge. But ultimately, they're the ones that need to figure out how to implement it, if, if you decide on a total lockdown.

BOSTAR: OK. Thank you very much.

IBACH: Very good. Are there other questions from the committee? Senator Fredrickson.

JOHN FREDRICKSON: Thank you, Vice Chair. Thank you, Colonel, for, for being here, and for your testimony. This might be-- you mentioned Capitol security being armed as a possible way to sort of be a support source for State Patrol. I think I probably should know this question. Is, is Capitol Security currently armed?

TOM BREWER: No. And it's because of the fact that the Capitol Security, they're selected and hired-- and they're more for monitoring the Capitol, for opening rooms, for notifying, I, I assume the State Patrol if there was something, you know, really bad that was to happen. So imagine this: you have folks that are in security roles, whether it be personal security for folks or building security. They're not trained on whether it be way stations or vehicle softs or any of that. They're, they're trained on a very narrow set of, of requirements and, and one of those would be how to safely handle and, and engage a situation, to secure it. And most of that's going to be just, just to, to make sure that you're securing the situation until the State Patrol can arrive. But I think all of us have seen times, especially the evenings, when they're really kind of it, other than red coats here. And that's kind of an empty feeling sometimes, if there's no one who would be able to come and help if something did happen. I mean, you, you would always have the ability to call 911, but I think by then it might be too late.

FREDRICKSON: Thank you.

IBACH: Thank you, sir. Senator Arch.

ARCH: Thank you. Good to see you.

TOM BREWER: Good to you, sir.

ARCH: So I've traveled to other states, as, as have you, and, and I would say that the majority are-- have metal detectors to go into, to go into the state capitol. I think there's still a few. And, and after, after the Minnesota incident this last year, my discussions with other speakers in other, in other states and leaders of their legislature, I think is-- there's a lot of this discussion going on right now, even those that are open right now, moving, moving to this. And I, I thought your, I thought your statement-- you didn't, you didn't use these terms, but I think what I picked up from you is like, it's either all or nothing. You don't, you don't do this kind of a move part way. Nobody has it or everybody has it. Right? I mean, that's kind of, that's kind of what I hear you, what I hear you saying. And, and you look at courthouses-- if I go to the Sarpy County Courthouse, I'll go through a metal detector. There are those who I would say have done something like this in a, in a partway fashion. But, but when you look at courthouses and those types of things-- and I guess in your mind, is there, is there a distinction between that versus the legislat-- versus the Capitol? So here-- here's-- OK. I'm rambling here. The court has metal detectors. You can't go into the court without going through those. The executive branch has State Patrol sitting outside the office. There's somebody there all the time. The Legislature is, is wide open. Our doors are wide open. Some senators lock their doors, and you have to get allowed to come in, but most of us have wide open doors, propped open, that at any time, anybody can walk in, at, at any time. You, you understand how that leaves some people feeling just a little un-- uncomfortable on the legislative side. But if we did all-- complete metal detection-- nobody else comes in, the only people in here have-- are, are authorized law enforcement. Would that be acceptable?

TOM BREWER: Well, you guys have a responsibility, not just to yourselves and functioning in the body, but to your employees here. And, and I think that ultimately is where we need to, to step back, take a deep breath, and, and look at, you know, what is right and what is reasonable. And I think if, if you're able to secure the facility so that you don't have that, that situation where something could arise because of, of a 50/50, where you're here some and some you're not, you know, then you have the peace of mind to know that you've done about as much as you can to secure the situation and make it reasonable. You know, the recommendations I made would have been like a white copy amendment. And, and those were bare-- fairly simple changes. You know, I think the, the challenge comes in making sure that if someone approaches the metal detector and they didn't know

that, that they're not already getting racked up for a crime, because that, you know, is, is something that would, would be a difficult situation where you're not able to educate the public right away of the situation that this is. People know, if you're going to the Supreme Court, there's a certain protocol. And people accept the fact that if you're going to a courthouse, that that's, that's going to be what you, you deal with. And so, you know, I, I think that if you can figure out a way to where you're able to secure the facility and maintain that security, you're being about as fair as you can about how people are handled, and you're not distinguishing between one or another. And I, I looked through the bill, and it looks like there's an Option 1 and an Option 2. One's like, I don't know, 16 employees. The other is like, 11 or something. It would be a bit of a challenge. I think you'll probably have to do some rewiring. You're probably going to have to train folks. But those folks that are approaching those metal detectors, unless the State Patrol has a-- an increase, need to be prepared to deal with situations, and that's why I brought up the issue of, of the Capitol Security at least being able to secure the situation and be armed.

ARCH: Well, I, I just want to say, I really appreciate you being here, because we, we really respect your opinion on this issue. So-- and so I'm sure we'll have other conversations, even outside the hearing. We really appreciate it.

IBACH: Thank you, Speaker Arch. Are there comments or questions from the committee? Seeing none, thank you for your time, and thank you for your expertise on this.

TOM BREWER: It's good to see everyone again.

IBACH: Other opponents. Welcome.

BOB RIPLEY: Good afternoon, Senators. Madam Chairwoman and members of the Executive Board, my name is Bob Ripley, B-o-b R-i-p-l-e-y. I live in Lincoln at 3022 Williams Street. And I find-- by what I find-- by what I find in the bill and the fiscal note that goes with it, that today, I'm testifying in opposition to this bill. Not because I don't believe in security for this building and I don't believe in having the people within it protected and especially goes right after that, as you would imagine for those who know me, protection of the building is also a priority. But I appear in opposition because I think it says a little more strength to it than being in a neutral position. Based upon the important-- and this is my point-- based on the important

detail and planning that appears to have been left out of this spending bill, of the 2 options provided by the State Patrol under what appears to be the guidance of the federal Homeland Security, there appears to be no legitimate budget for modification to our landmark Capitol to accommodate the adaptation of the security equipment proposed. In fact, at the end of Option 2 in the fiscal note, It specifically states, and I quote: the cost of this building construction has not been included in this estimate. Really? Since we all know we're not building-- dealing with a metal building warehouse in an industrial park, and how many times I have worked here wished I had, because it was such a simple solution to knock a hole in a wall and make something work. This is just the opposite end of that scale. The highest quality materials, design, and workmanship went into this building. I submit to the board that the cost of security equipment and personnel to make it operational could amount to only a down payment on the actual building construction costs for both exterior and interior work. During my very fortunate 40-year tenure working on the Capitol, which ended in the Office of the Capital Commission in March of 2023, I had the privilege of overseeing about \$250 million of taxpayer-funded construction projects on our landmark-- emphasize landmark-- State Capitol. Half this amount was necessary updating to keep the building operational, and the other half of that amount of money was to remove substandard construction imposed on the Capitol by well-meaning but misguided attempts to get things done quickly and cheaply. This misguided approach of low dollar and quick completion actually cost the state more in the long run and did not improve, repeat did not improve the working conditions or safety and security in the building. This quick and cheap process for work on the Capitol, which was done 50, 60 years ago, threatened the national landmark status and stature of our Capitol by not matching original quality materials, design, and construction. Please, let's not fall back into those dark days of 50 to 60 years ago. Please take the time, as the Office of the Capital Commission has over the last 40 years, and properly plan and build for a security solution with all stakeholders at the table, security, building people, you name it, whoever wants to be at the tables should be there, and in the process, achieve the goal of a safer Capitol, which retains its national historic landmark status in the process of this planning. It may take longer to realize the built project, but I guarantee you we'll have a better long-term solution for less money expended if we do so. Please, please, at least amend LB1237 to allow for a properly-planned security system with a known budget, known budget for all work, as is required by the state's

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approved Capital Construction procedure. This is the end of my formal testimony. If you have questions, I'd try to answer.

IBACH: Great. Thank you very much for the questions from the committee? Seeing none, thank you. Mr. Ripley, for--

BOB RIPLEY: Thank you.

IBACH: --being here. Other opponents? Welcome. We're going to have you fill out a green sheet before you leave. Go ahead. Thank you

JOE GOEBEL: Good afternoon. My name is Joe Goebel, G-o-e-b-e-l. I am really kind of sad and disappointed to be here today. I've worked with some of you on other bills. And I never figured I'd be fighting some of my own people for infringements. I noticed you mentioned the Second Amendment, but you forgot the very one that's in Article I, Section 1 of the Nebraska Constitution. It doesn't say the State Patrol is in control of my safety or yours. It says, I have the right to defend myself, my family, my property, in defense of others, and that's what you guys swore to uphold. Not the Second Amendment-- Article 1, Section 1 of our Constitution. And nowhere does it state in there that law enforcement has the overwatching right to my safety. I am that. You're the first line of defense. You know, there's a statement we use. When seconds matter, cops are always minutes away. Those of us who've been in a, a detrimental or a minority neighborhood or disadvantaged neighborhood who've had to call law enforcement, they were minutes away. And it was already done. So why do I feel like we're trying to create a, a, a 2-class system? See, you guys get to park close. I know some of the staff. I also remember when a senator's wife was attacked. You guys are even taking away pepper spray. You're disarming them completely. So my question is, is if we get attacked going back to our vehicles after we've been down here trying to readdress our grievances with this body, are you guys going to be liable if we get injured? Because you have the security, we won't. Then you're going to have us lined outside. We've seen the trouble we've had in the Rotunda. So are you going to have security outside on one of those really contentious days? See, when we're able to defend ourselves, there is always the question of who is actually able to defend themselves or not. Then you talked about being in here, and you're wanting your doors closed. So I stopped at Senator Storer's office, because I have a, a proposal for her brand bill; little gal in there. You guys forgot another one. How about this? This is all it took for that person on that plane-- or on that train to take out that little Ukrainian girl. And then, everybody sat and watched her bleed

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out. So where do you stop? You know, as far as my family's concerned, we've been fighting this for 8 generations in Nebraska. My family was massacred at Sand Creek, by Colonel Chivington. I know what my government is willing to do in the name of safety. And I don't appreciate that, as a Republican, I'm having to fight my own people who swore to protect my rights, and that is according to Article I, Section 1 of our Constitution, not the Second Amendment. Thank you.

IBACH: Thank you. Are there questions from the committee? Seeing none, thank you, Mr. Goebel, for appearing today.

JOE GOEBEL: Thank you.

IBACH: Other opponents to LB1237? Welcome.

AARON WALLIN: Hello. My name is Aaron Wallin, Wallin, W-a-l-l-i-n. Kind of follow back on the last person that was talking. I find it very hypocritical that you guys want to strengthen your own [INAUDIBLE] and your own security, while you nitpicked Senator Brewer's bill on school safety. I was hoping that you guys were able to do that, and all you did was rural area schools. I live in Omaha, Nebraska. And you guys, over Nebraska-- or Omaha and Lincoln's Police Department, said well, our response time is, is good Well, you guys' response time in here is good, too, because you live-- or you're here in Lincoln. And you want-- have armed security, metal detectors, everything? I want to see that in schools, too. And that's the end of my statement.

IBACH: Great. Thank you. Are there questions from the committee? Hang on a second. Any questions? Seeing none, thank you very much. Other opponents to LB1237?

NATHAN GRIFFITH: Thank you, Senator Ibach and committee. My name is Nathan Griffith, N-a-t-h-a-n G-r-i-f-f-i-t-h. Excuse me. I have 2 concerns that really haven't been addressed. One, reinforcing the idea of the, the cost that's going to go into this. You know, we're looking at a, a tentative \$471 million deficit this year. What are we looking at, and do we really want to spend more money on this? Do we have questions whether it's going to work or not? The other thing I want to just say is we never know when and where a situation arises. And you know, it's been addressed somewhat that, you know, we walk to and from the Capitol, a lot of times, unarmed. I, I normally come unarmed to the Capitol, just because I don't want to be in and cause any consternation to senators, but it-- it's a risk, and it's something I

have looked at myself many times. In fact, I asked myself this morning, am I going to carry today or not? But again, I don't, I don't come in with the-- any intent of being antagonistic. But having been in a situation in the past where a situation happened, not to me, but I was asked to intervene in an assault that was going on, you never know when and where it's going to happen. And to ask concerned, armed citizens to, to spend time unarmed, even in a, quote, secure facility, it's asking an awful lot. I do want to say that the situation that I got involved in, because I got involved, the situation was disarmed. The only injury was a minor scratch to the throat of the woman that was being held at knife point, and it was all resolved before the police had time to get there. And I don't want to have to go through that again, but I also don't want to be in a situation where if something happens that I am not in a position to help if I can. The other quick thing I want to say is, even with metal detectors and everything, is it really feasible to 100% secure the building? And my thought is I would rather be here with other people that are armed, being able to help back up the, the appropriate law enforcement people that are here. Thank you. And I would-- if you have any questions, I would be glad to answer them.

IBACH: Thank you very much. Are there questions from the committee? Seeing none, thank you, Mr. Griffith. Other opponents? Welcome.

CRAIG ELY: Thank you. Good afternoon. My name is Craig Ely, C-r-a-i-g E-l-y, and I'm here to testify in opposition to LB1237. I understand that the State Patrol is very supportive of this bill, and that concerns me, because this Legislature does not work for the Nebraska State Patrol, Lincoln Police Department, or Omaha Police Department. You work for "we the people." LB1237 restricts lawful, self-defense tools inside the State Capitol, including firearms, knives, brass knuckles, and even pepper spray, which is a nonlethal option. That is not a public safety improvement. It is a restriction on the rights of lawful citizens. I also have serious concerns about practical consequences of the bill, if this moves forward-- moves towards security checkpoints or metal detectors. I'd like to-- I'd-- I asked the committee to consider reality during the red flag law hearings-- over 700 gun owners. 700 gun owners came to the Capitol to participate in legislative process-- the legislative process. How long would it have taken to process that many people through the screenings and the metal detectors? The people who show up, follow the law, and engage in the process are not the threat. They are your constituents. I believe we should be talking about expanding lawful carry inside the Capitol, not stripping it away. Nebraskans already lawful carry across the

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state. The Capitol should not be treated as a place where citizens lose their rights simply by walking through a door. Respectfully, this body should not defer to state agencies over the people we-- they serve. You do not answer to the Nebraska State Patrol. You answer to the citizens of Nebraska. For those reasons, I urge the committee to oppose LB1237. Thank you for your time. Any questions?

IBACH: Thank you, thank you very much. We'll see. Are there questions from the committee? Seeing none, thank you, Mr. Ely, for your testimony.

CRAIG ELY: Thank you.

IBACH: Other opponents. Welcome.

PATRICIA HARROLD: Thank you. Good afternoon. My name is Patricia Harrold, P-a-t-r-i-c-i-a H-a-r-r-o-l-d. I represent the Nebraska firearm owners, but more importantly, I represent Women for Gun Rights in the state of Nebraska. I had some prepared testimony, but I think I have more helpful information. And I'd like to start off with first, I'm with the people and I'm here to help. Being informed about the legislative process from the perspective of the people is really important. And I think we have some concerns that we'd like to share. First and foremost, the Nebraska Firearm Owners Association has been very successful recently in our work to represent the people in the courts, where the cities of Omaha were informed by legal counsel that their executive orders banning the lawful carry of firearms on state-owned property was completely in accordance with state preemption laws. That mayor was not elected. She rescinded her executive order, finding that she had made a mistake, an error of law, by following the recommendations of her legal counsel, who were misinformed about how state preemption works. When it comes to the Constitution, the language in Article I, Section 1, is explicit. It is so far more clear than even our Second Amendment. And so, I caution that we take the time to work together, the gun-owning community, the self-defense community, and the legislative community, to move forward with increasing security at our State Capitol in ways that balance safety, security, and our constitutionally-protected rights. The second point I would like to make is as a woman, you're going to ban every possible tool available to me to have the chance to defend myself. But that doesn't make me more safe, because I am a woman, and there are men in this room. And in case law, the disproportionate capability of a man against a woman in unarmed combat is proven to justify even my use of lethal force against an unarmed individual

whose physical capability is life-threatening to me. The first day I came to the state capitol as a representative of the gun-owning community, a large man came up to me and said, there is blood on your hands. I had not yet spoken. But that day reminded me that I take a risk every day I come to do the job of being a civic-minded person, a representative of the voice of 26,000 Nebraskan gun owners. And so, I ask you to work with us to make this piece of legislation make sense for both you, your staff, and the citizens of Nebraska, so that it's physically sound, constitutional, and equally applied to everyone. I welcome any questions, and then we are here to serve. Thank you.

IBACH: Thank you very much. Are there questions from the committee? Seeing none, thank you for your testimony. Other opponents to LB1237. Are there other opponents? Welcome.

AARON LOOS: Thank you. Hello, my name is Aaron Loos, A-a-r-o-n L-o-o-s, and I live down in Beatrice. I'm here to talk in opposition to LB1237. So I know most people are going to be focused on the gun issue. I understand that, myself. I am a-- I, I am firmly in support of the Second Amendment. I believe all gun laws are infringements, and being pro-gun is not the same as being pro-Second Amendment. But that's not what I'm here to talk about. My concern is the ban on knives and pepper spray, both of which are specifically called out in the bill. I myself right now have a pocket knife in my pocket, and I would bet so do many other people here today. I don't happen to have any pepper spray on me, but I'd be willing to bet that there's plenty of that here, too. While admittedly, pepper spray really only has one defensive purpose, many Nebraskans carry a knife every single day, everywhere they go, myself included. We don't even think of these knives as a weapon, despite their being labeled as such in the bill-- sorry-- in the bill, but rather as a simple, useful tool used throughout our day for tasks as simple as opening the mail or digging out a splinter. We wake up and stick these knives in our pockets as part of our daily routine-- wallet, knife, keys, phone. This bill, however, would criminalize all of us here who happen to have a knife in their pocket or pepper spray on their key chains. This bill would make us guilty of a Class III misdemeanor, which here in Nebraska, is punishable by up to 3 months in jail or a fine of \$500. This, to me, is an outrageous punishment for the simple act of carrying a simple tool that is carried by many Nebraskans on a daily basis. Seems to me that this is a solution in search of a problem. It is very likely that many people walk into this building every single day with a knife or pepper spray or both on their person, without issue and without even

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thinking about it. Please do not criminalize us for this-- for doing something we do every single day without incident. Thank you.

IBACH: Great. Thank you. Are there questions for this testifier from the committee? Seeing none, thank you for your testimony. Are there any other testifiers in the opposition? Any opponents? How about neutral? Is there anyone here speaking in the neutral position? Welcome.

BILL HAWKINS: Senator Ibach, Vice Chairman, the Executive Board. My name is Bill Hawkins, B-i-l-l H-a-w-k-i-n-s. I'm a lifelong Nebraska citizen, and I have been a very watchful citizen in this Capitol building for about 15 years. So I take access to this building very seriously, and the treasure that we have in the great state of Nebraska with this building and the legislative body that we work with. But it is the people's house. So I've listened very closely to the testimony and that's why I come in a neutral position, because as you have discovered, this needs some work. Mr. Ripley could help a lot with that, figuring out how to secure this building. I think banning all weapons is not the solution, because anything can be used as a weapon. I grew up with-- hunting with a shotgun. I don't carry weapons, I look at my common sense and situational awareness, and so I don't really need weapons where I go. But anything-- a pen, a book-- anything can be used as a weapon. So just banning guns and knives, and then having your legislative staff or-- and/or testifying people leave at 10:00 here at night-- I grew up in Lincoln, pretty much. I know the town. And so if you go one block from this State Capitol building after dark, it is an unsafe neighborhood. It's the great state of-- or Lincoln, but it's an unsafe neighborhood to force people unable to defend themselves to leave this building at that time, is not right. And so, I've developed a great relationship with the State Patrol here, and police security. And they are great people. They need to be trained and aware of situations and be able to act on them. So I, I agree in securing the building, but restricting the entrances to one entrance, fortified, is not the answer. So-- and you have budget restraints, because you have a budget shortfall. So you need to really look at this and take everybody's testimony into consideration. So I thank you for your time and would be happy to answer any questions.

IBACH: Thank you very much. Other questions from the committee? Seeing none, thank you--

BILL HAWKINS: Thank you.

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IBACH: --Mr. Hawkins. Always good to see you.

BILL HAWKINS: Be good to see you.

IBACH: Any other testifiers in the neutral position? Anyone else testifying in the neutral? Welcome.

BRANDON METZLER: Good afternoon, Madam Chair-- or Vice Chair, excuse me, members of the committee. My name is Brandon Metzler, B-r-a-n-d-o-n M-e-t-z-l-e-r, Clerk of the Nebraska Legislature, and I'm appear-- appearing today in a neutral capacity. I'd like to start by expressing my gratitude to everyone who contributed to drafting this legislation. It truly represents a successful bipartisan effort across all 3 branches of government. I also want to acknowledge and thank the Nebraska State Patrol for their ongoing commitment to securing the building. Should you choose to move forward with this legislation, we believe this bill effectively grants the State Patrol the next-- necessary flexibility to implement enhanced security measures, which will ensure safety and peace of mind for their officers and all visitors to the Capitol. It is worth noting that the Nebraska Legislature, with nearly 300 employees and occupying the most office space in the building, presents the largest area of security consideration. Legislative offices have not received any additional security enhancements, and the nature of constituent engagement often requires office doors to remain open or unlocked during business hours. In reviewing this matter, it's also helpful to consider what other states are doing. According to data from the Council of State Governments, 37 states currently utilize metal detectors or security checkpoints. Furthermore, 34 states explicitly prohibit the possession of firearms within their capitol buildings. At this time, I'll pause and take any questions.

IBACH: Thank you very much. Are there questions? Senator Fredrickson.

JOHN FREDRICKSON: Thank you, Madam Vice Chair. Thank you, Mr. Clerk, for your testimony. I had a question. I was thinking about some of the other testifiers. I took some notes. One thing with the fiscal note, obviously modifications to a building like this is a very serious consideration. Do you, do you have any perspective or insights as to what--

BRANDON METZLER: I'm sorry. Question one more time, Senator. There's--

JOHN FREDRICKSON: Yeah. No worries. I, I was thinking about, like, with the fiscal note, talking about modifications to the building. Obviously, this being a historic building, there, there are significant things to think about with that. Can you shed any light on that or?

BRANDON METZLER: Yeah, absolutely. So there's been some preliminary conversations between myself, Capital Commission, or you know, myself as the Legislature, the Capital Commission, Nebraska State Patrol. When you see, you know, the OCC hasn't been-- we haven't reached out to the OCC, or there's this unknown consideration, that's primarily for the purposes of an ADA ramp. The both east and west sides of the building are not ADA accessible. You only have the north. Most of your visitors don't, don't enter in through the north. You've got just the horseshoe and some street parking. So that would mostly be reaching out to Capital Commission, in terms of finding an ADA-accessible entrance on one of the other 3 sides of the building. Internally, there doesn't seem to be a lot of need for, for massive changes. As you've seen with some of the hearings already this year, metal detectors would be portable, the tables themselves would be portable, they could be taken up, you know, brought down, that sort of thing. I don't think there would be-- they don't envision, at this time, any sort of permanent fixture. You just-- ultimately, it would be like a power consideration, because those metal detectors or security checkpoints or whatever, you know, when you've already got security cameras at all your entrances, they're, they're well-monitored. It would primarily just be a, a power consumption.

JOHN FREDRICKSON: So we're not talking about any permanent changes to the actual physical Capitol.

BRANDON METZLER: My understanding is no. I mean, that will continue-- you know, that would be ongoing conversations with Capital Commission, but there's nothing being affixed to the floor or the ceiling or the walls of that, to my knowledge.

FREDRICKSON: OK. Thank you.

IBACH: Thank you very much, sir. Other questions? Seeing none, thank you very much.

BRANDON METZLER: Thank you, Madam Chair.

IBACH: All right. Any other testifiers in the neutral position? Any other neutrals? No? If not, we will invite Senator Hansen back up to close. And I don't know, [INAUDIBLE] letters? We'll get that. Go ahead, Senator.

HANSEN: All right. Thank you. I appreciate everybody coming to testify in favor and actually those in opposition. They-- some actually provided maybe some workable solutions, or some things that we can look at, because I think that's the whole purpose of this hearing, is to-- like I mentioned earlier, not just say this is one way or no way-type bill. I think we can listen to what everybody says, and what other states have done. I know Senator Brewer mentioned that earlier. You know, states such as Texas and Kentucky both have metal detectors, but they do have some way for the citizens who are, you know, I don't want to say carry lawfully, but who have a carry conceal license to be able to register with the state and they can carry that then, in the capitol. So that's [INAUDIBLE]-- some direction some states have gone, so that's something we can also explore if we need to. Like I said, I'm going to be working closely with, closely with the State Patrol, to see some reasonable solutions and see what we can make workable, too. And I wouldn't-- beg to differ with Senator Brewer. But he's not sitting behind me now, so I can, I can, I can disagree with him, OK? He would probably agree with me. When he first came here 10 years ago and when I first got here 8 years ago, I would never expect to introduce a bill such as this and support it. But even he would probably agree. About 10 years ago when he first came here, the environment is quite a bit different, especially the last 2-3 years, that we have seen. Many of us have seen it here in the Capitol, and we have seen an increasingly large disregard from the people in the Capitol for the rules that we put forth, whether it's throwing stuff at us from the balconies, whether it is mobs in the Rotunda, where we can't even exit out of the Rotunda for fear of being hurt, people carrying things in their backpack. Luckily, some people have been caught beforehand, and the amount of death threats that we have, that we have seen, over the course of time. I know I have. I've had to call the State Patrol. They've had to arrest somebody saying they were going to come to my office and kill me. So the threat is real. And I've heard from other senators that they've had to do the same thing. So when I say it's a little bit more of a politically-charged environment-- maybe it'll change-- but I think that lends itself to a reasonable discussion about how we can better protect not just the senators who are in the center of a lot of these things, but their staff and everybody else who enters this Capitol. It makes a good

point about trying to figure out, OK, how do we make it workable from guests coming into the Capitol, from where they leave their car in order to carry it into the-- not being able to carry into the Capitol. That's something I listen to, listen to him and others on and see if there's some workable solution there. The cost of the bill, some people brought up the cost of the bill. And I'm sure Senator Clements will correct me later, but from my understanding, the cost, the fiscal analysis and the cost that we have talked about the State Patrol, we have the ability to absorb that cost from-- as-- in the Legislature that we have. We did have more of a, I don't want to say a cash fund, but we did have an appropriation for the Legislature to use, but we have dramatically cut that down quite a bit because of, you know, our fiscal analysis that we have right now, going on. And so, we-- there is some left over to help cover the costs if needed. And I think he makes a good point, Senator Brewer, about what is right and what is reasonable, and that's what-- how I'm trying to approach this. Mr. Goebel was here, and I've known him for many years, and I always appreciate his opinion. And he did mention the metal detectors in the Rotunda, and we have used those several times already this year. Some people may not be aware that we do have metal detectors already currently in use, outside of hearings at the discretion of the committee chair. And we have used them multiple times already, so far this year. And I kept a close eye on them, asked the State Patrol how things have gone, asked the people who had to walk through them, and so far, everybody has moved through very quickly, reasonably, expeditiously. And so, so far, they have worked well. I think the State Patrol has done a good job with that. Mr. Wallin made a good point about if we do have more security in the Capitol, we should look at more security in the schools, and I do agree with him on that one. Somebody brought up the idea of red flag laws, and that was one of the-- I think that was Senator Morfeld brought that up, and that was one the bills that I fought the hardest against. And Mrs. Harrold brought up an interesting point, about how she-- when she comes here, she takes a risk coming here every time, about the fellow yelling at her with the blood on your hands. We have that happen very often to state senators, being confronted by people for various reasons, who want to threaten us, who email us, who send stuff through the mail. I've had that, too. And the difference is, is currently, as Senators and staff, we are unable to carry, and they can. So whereas they have the threat and they have the ability to protect themselves in this building, we do not. And so-- and Mr. Loos talked about knives and pepper spray. I think the list-- you know, he said the list-- we can, we can look at, and we can see if we need to tweak some stuff in this

bill, because I'm not against that. But I'm going to be working with State Patrol and, and my colleagues here at the Executive Board to see what we need to do. So with that, I'll take any questions if anybody has any.

IBACH: Thank you. Are there questions from the committee? I just have one quick one. Can you-- because I know we've talked about this a couple different times. Can you clarify the partnership between the 3 branches that are-- that actually are housed in the Capitol building, and what that cooperation might look like?

HANSEN: Yeah. I didn't want to move forward with this bill, and I don't think it's probably prudent to do something like this without the explicit, I think, approval of all 3 branches of government. And so far, you know, all 3 branches of government have agreed that this is a reasonable solution to move forward with. I think maybe the onus is on us a little bit more, as the legislative body, because of the purse strings, and-- to direct us maybe. So, so far, everything's been working well with the Capital Commission. I think the Clerk mentioned, you know, some interesting points about maybe some of the changes that might need to happen to the Capitol. But I think a lot of the changes some people think that might need to happen, probably won't. I think the ADA accessibility is something we'll have to look at from entrance, depending on which one we use.

IBACH: Very good. Well, thank you very much for bringing this bill. Thank you for your conversations. And with that, we will close the hearing on LB1237. There were 16 proponents, 22 opponents, and one neutral, as far as letters sent in and, and submitted online. So thank you all for attending today.