

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

**BRIESE:** We'll go ahead and get started here. Good afternoon and welcome, everyone, to the meeting of the Executive Board. I'm the Chair, Tom Briese. On the far right end, we have our committee clerk, Sally Schultz. And with that, I'd like to have the committee members introduce themselves, starting with Senator Bostar.

**BOSTAR:** Eliot Bostar, District 29.

**SLAMA:** Julie Slama, District 1.

**TREVOR FITZGERALD:** Trevor Fitzgerald, committee legal counsel.

**AGUILAR:** Ray Aguilar, District 35.

**LOWE:** John Lowe, District 37.

**BOSTAR:** Senator Vargas?

**VARGAS:** Oh, sorry. Tony Vargas, District 7. I was reading.

**RIEPE:** Merv Riepe, District 12.

**BRIESE:** Thank you. And with that, let's go to the agenda that I think everyone has in front of them, starting with number one, dealing with out-of-state travel expense reimbursements. Trevor, do you want to explain that?

**TREVOR FITZGERALD:** Yeah. So over-- in basically the past decade, the Executive Board has traditionally set a maximum amount of travel reimbursements for out-of-state travel for senators. For each individual senator, we've set some type of cap or in some cases when the budget is a little bit more lean, we've, in fact, not reimbursed senators for out-of-state travel. The most recent cap, in the last biennium, was \$2,500 for each senator. And I went ahead and Legislative Accounting pull some numbers. In the 2022-23 fiscal year, we had four senators hit the cap. The year before, in 2021-22, we only had the one senator hit the cap. We had a couple of years before that where we had no reimbursement because of budgetary reasons. And then prior to that, we had previously had a, a cap of \$1,500. And when we had the \$1,500 cap, we had a larger number of senators hit that cap. We had as many as 10 or 12 senators hit that cap. So the board would just need to set a cap. I, I, I would note the proposed budget that went before Appropriations Committee assumed that we would continue that \$2,500 cap, so-- entertain a motion.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

**BRIESE:** Thank you, Trevor. Any discussion? Senator Slama.

**SLAMA:** And I say this as somebody who hasn't actually gotten reimbursed for travel, I'm fine with keeping the \$2,500 cap. I think with flight prices going up and down, it's a fair point. And we don't have a lot of people hitting it right now, so.

**BRIESE:** OK. Anybody else? Senator Vargas. Thank you, Senator Slama.

**VARGAS:** So the first couple of years that we-- when I first came on the Budget Committee, we, as, as Trevor mentioned, we eliminated the reimbursement, as our doing our part for dealing with the budget issues we had in 2017-18. And then we didn't really increase it back until like two years after, as was mentioned. You know, it's in the budget for the \$2,500. Not a lot of people-- I think habits have been created that, since it wasn't around for some of the senators in our previous class years and my class year just stopped using it, but it is-- I think it's fine to just have, to make sure that people can utilize it when they need it. But just wanted to get a little bit of that historical because if we do have other budget years, this will probably be on the cutting board, for us doing our part in future years.

**BRIESE:** OK. Very, very good. Thank you, Senator Vargas. Anyone else? I would entertain a motion to set a limit for out-of-state travel expense reimbursement for FY23-24 and FY24-25 at \$2,500.

**VARGAS:** So moved.

**SLAMA:** Second.

**VARGAS:** I got it.

**TREVOR FITZGERALD:** Motion by Senator Vargas, seconded by Senator Slama.

**BRIESE:** OK. Roll call vote.

**SALLY SCHULTZ:** Starting with Senator Aguilar.

**AGUILAR:** Yes.

**SALLY SCHULTZ:** Senator Arch-- Speaker Arch.

**ARCH:** Yes.

**SALLY SCHULTZ:** Senator Bostar.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

**BOSTAR:** Yes.

**SALLY SCHULTZ:** Senator Briese.

**BRIESE:** Yes.

**SALLY SCHULTZ:** Senator Lowe.

**LOWE:** Yes.

**SALLY SCHULTZ:** Senator Riepe.

**RIEPE:** Yes.

**SALLY SCHULTZ:** Senator Slama.

**SLAMA:** Yes.

**SALLY SCHULTZ:** Senator Vargas.

**VARGAS:** Yes.

**SALLY SCHULTZ:** Motion is carried.

**BRIESE:** OK. Item number two, a request from the Clerk's Office to designate primary sponsorship of LB50. A little background, Trevor?

**TREVOR FITZGERALD:** Yes. So when Senator Geist resigned, as had been traditional practice, senators were asked to make a request to the Clerk's Office if they would like to take over as the primary sponsor of any of Senator Geist's bills. And this, this, this is something that has not happened in the past, where multiple senators both wanted to take over as the primary sponsor. So we had multiple people asking the Clerk to do that. We had that on a total of three bills. And then on two of those bills, the senators who both requested kind of worked it out amongst themselves and, and resolved it. But in this case, both Senator Wayne and Senator Bosn have made a request. You do have-- we, we asked them to provide their reasoning behind the request. So you have a document that includes a letter from Senator Wayne and an email from Senator Bosn with that, that reasoning. But we've just been asked to, basically, help resolve the issue by the Clerk's Office. I don't know if the Clerk has anything else to add.

**BRIESE:** Thank you, Trevor. Senator Vargas.

**VARGAS:** I'll move to assign LB50 to Senator Wayne, given this letter.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

**SLAMA:** Second.

**VARGAS:** I just need a motion for a second.

**SLAMA:** Second.

**BRIESE:** We have a motion and a second. Any discussion on that? Senator Arch.

**ARCH:** Yeah. I would, I would, I would support that. I think, when you-- this, this question of reform has been ongoing for years and, and kind of back and forth and up and down and sideways a couple of times and never, never really coalesced around some concepts. And I think, given Senator Wayne's experience in those discussions and in light of Senator Geist's departure, I, I, I think he probably is the most logical to take over, to take over this.

**BRIESE:** Thank you, Speaker. Senator Slama.

**SLAMA:** Thank you, Mr. Chairman. I, I do agree with the Speaker here. This was a-- I, I went back and forth on this a little bit. But I do think, at the end of the day, Senator Wayne's experience and leadership on this issue puts him in the best position to achieve the ends that LB50 intends to achieve. So I'm, I'm supportive of Senator Wayne carrying it.

**BRIESE:** Thank you, Senator Slama. Senator Bostar.

**BOSTAR:** Thank you, Chair Briese. I think, particularly for me, so I, I support having it assigned to Senator Wayne, particularly because it's the-- it is a Judiciary Committee priority bill. So I think having it be assigned to the chair of the committee makes sense, in order to provide for the consistency of, of what was clearly being worked on, within that committee on this legislation.

**BRIESE:** Thank you, Senator Bostar. Anyone else? Senator Lowe.

**LOWE:** Thank you. I'm, I'm really torn on this one, because I've spoken with the LA from Senator Geist and now, Senator Bosn and, and, and spoke with Senator Bosn. I have not spoken to Senator Wayne yet, but I know that the LA from Senator Geist and now Senator Bosn has worked very hard with Senator Bosn to take over some of Geist's bills and worked specifically with this one. I will probably be a present not voting on this, but they-- because I'm torn between the two. I know, I know that Senator Wayne is, is also equally qualified to carry the bill.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

**BRIESE:** OK. Thank you, Senator Lowe. Senator Riepe.

**RIEPE:** I, too, am torn on the bill or on the candidates, if you will. I did think there's merit to-- while I think Senator Wayne has the experience and I believe the continuity, but I also feel that at times, particularly in state government, there's a need for a fresh look. We've been after this a very long period of time, and someone who maybe comes in and she does have a, you know, judicial background behind her. So I thought that she could bring some, maybe, new ideas and new thoughts to the table. I'm, I'm quite frankly hoping that we can get some resolution, as opposed to just stirring the pot more and making a stink. So I'd like to get there. So that's where I'm at.

**BRIESE:** Thank you, Senator Riepe. Senator Vargas.

**VARGAS:** Thank you. Not to belabor the point. I think, first, Senator Bostar mentioned this. You know, it's-- my, my more pressing reason behind it is it being a committee priority bill and that the chairman has been working on this-- that the chairperson's working on this. And that, even if there's expertise on both sides, which I recognize there's expertise on both sides from both of these senators, there's a benefit, especially given our unique circumstances of our Legislature right now, to have this in the chairperson's leadership, as we figure out how to navigate, you know, time and priorities within this, within this package or within this bill, however it actually turns out. So that was my reason behind motioning for this.

**BRIESE:** Thank you, Senator Vargas. Speaker Arch.

**ARCH:** Just one other comment. I, I, I hope that it's not an either or. I mean, yes, somebody has to be the primary, carry, carry the bill. But I mean, Senator Bosn's experience would be very valuable in all this, plus the background and the work that she's already put into it. Regardless of who carries this, if LB50 moves, as, as a group of some reform efforts, it's going to be a lively debate. You know, there's going to be, there's going to be opinions on all sides of, of some of these issues, as there has been over the years. And, and so I, I-- you know, while I, while I support Senator Wayne taking over the sponsorship of the bill, I'm, I'm sure that it, it-- this isn't going to be, well, then Senator Bosn has no input into the process. And, and I would, I would hope that's how, that's how it is discussed in committee and, and if it, if it comes out, that it's discussed on the floor in the same way.

**BRIESE:** Thank you, Speaker Arch. Senator Slama.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

**SLAMA:** Thank you, Mr. Chairman. I, I completely agree, again. I mean, this is two for two, so it's a really weird day-- with the Speaker. And then, I, I agree. They both bring a good set of experiences and perspectives to this issue. What, what sent me over the edge in wanting Senator Wayne to have the lead in handling this bill, was his commitment to include all voices in the committee, especially Senator Bosn's. So I absolutely believe that Senator Wayne will have everyone, especially Senator Bosn, have a role in negotiating LB50 and moving that forward.

**BRIESE:** Thank you, Senator Slama. Anyone else? And I guess I, too, support Senator Wayne in his endeavor here. I know Senator Bosn would do an excellent job at this with her experience and background. But I think, as committee chair, co-sponsor of the bill, and one who's been involved in the negotiations up to this point and continue-- intended to continue negotiating on these items, I think he'd be a very likely and logical choice. But with that said, Senator Riepe.

**RIEPE:** The only other question I would have, and I don't know about the organizational structure on it, but is there any opportunity to her-- I, I'm not into, I'm not into co-presidencies and I'm not into co-chairmen or any of that. But is there an opportunity for the committee to have her serve as a vice chair or something like that? It still puts, it still puts Wayne in charge, but it puts her on the, on the function. I'm just trying to get her into the deal because she's not-- it's a resource I think could be to our advantage.

**BRIESE:** Sure.

**RIEPE:** And she's not on Judiciary Committee. Is that correct?

**SLAMA:** She is.

**RIEPE:** Oh, she is?

**BOSTAR:** She will be.

**SLAMA:** Well, she hasn't been confirmed yet.

**BRIESE:** She, she will be.

**ARCH:** That's the recommendation of the Committee on Committees.

**RIEPE:** Oh, OK. OK.

**BRIESE:** Now.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

**RIEPE:** Let's go on.

**BRIESE:** OK. Very good. Thank you for your comments. Anyone else?  
Senator Aguilar.

**AGUILAR:** Well, first of all, I like this bill a lot. I'm a co-sponsor,  
as well. And I think it's just a fantastic opportunity for Senator  
Bosn to get her feet wet. And I think she has the experience to carry  
it through, shepard it to the finish line.

**BRIESE:** OK. OK. Thank you, Senator Aguilar. Anyone else? Senator Lowe.

**LOWE:** And back when we did the rural health complex, it was agreed  
between Senator Hilkemann and I that I would cosign and, and, and take  
equal part of that. So I would hope that both Senator Bosn and Senator  
Wayne will, will come up with that same agreement.

**BRIESE:** OK. Very good. Senator Lowe, thank you. Anyone else? Seeing no  
one else, roll call vote.

**SALLY SCHULTZ:** We're going to start with Speaker Arch.

**TREVOR FITZGERALD:** This is-- the, the motion is to designate Senator  
Wayne as primary sponsor of LB50. It was motioned by Senator Vargas,  
seconded by Senator Slama.

**ARCH:** Thank you. Yes.

**SALLY SCHULTZ:** Senator Briese.

**BRIESE:** Yes.

**SALLY SCHULTZ:** Senator Bostar.

**BOSTAR:** Yes.

**SALLY SCHULTZ:** Senator Lowe.

**LOWE:** Not voting.

**SALLY SCHULTZ:** Senator Riepe.

**RIEPE:** Not voting.

**SALLY SCHULTZ:** Senator Slama.

**SLAMA:** Yes.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

**SALLY SCHULTZ:** Senator Vargas.

**VARGAS:** Yes.

**SALLY SCHULTZ:** Senator Aguilar.

**AGUILAR:** No.

**SALLY SCHULTZ:** Vote is 5-- 5-1-3 and 2 not voting.

**BRIESE:** OK.

**SALLY SCHULTZ:** 5 yeses, 1 no, 2 present and not voting.

**BRIESE:** The motion to assign primary sponsorship of-- to Senator Wayne, passes. OK Number three, fill vacancy on the Legislative Performance Audit Committee. Background, Trevor?

**TREVOR FITZGERALD:** Yes. So with, with Senator Geist's resignation, pursuant to the rules, any vacancy on a special committee is actually filled by the Executive Board. The-- what you have before you as part of your packet is a sheet, kind of similar to what the, the board considered when we have filled special committee vacancies, vacancies at the beginning of session. This lists the current members of the Performance Audit Committee. And then there's the one vacant seat. We do have two nominees, will-- so we will have to have a ballot vote, similar to how we did, previously.

**BRIESE:** Thank you. Any comments before we vote? I would like to point out that Senator Brandt, I believe, previously, was on the Building Committee. Is that correct?

**TREVOR FITZGERALD:** So, yes. So Senator Brandt had previously been on the Building and Maintenance Committee, but was not--

**ARCH:** Reelected.

**TREVOR FITZGERALD:** --reappointed to the committee.

**VARGAS:** He serves on no committees.

**BRIESE:** Yeah. We, we neglected to reappoint him to that, in January. Senator Bostar.

**BOSTAR:** Thank you Chairman Briese. For those, I think yourself and, and Speaker Arch, if you could-- for the most that don't serve on that committee, if there is-- is there some background you could provide



Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

or-- to help make a decision on, you know, what, what could be valuable, what sort of perspective and skill sets to just help us make some decision. Because I'm really not that familiar with the inner workings of that committee at all.

**BRIESE:** Trevor, do you want to pass that one off to you?

**TREVOR FITZGERALD:** So the, the performance audit-- and, and Martha is here and maybe, can fill in if I don't have more information. So the Performance Audit Committee works with the perform-- with the audit division of the Legislature. The division conducts several performance audits a year. The basic goal, and I'm paraphrasing a little bit here, is it-- it's unlike an audit from the Auditor's Office that's looking at money. The goal of a performance audit is to assess a program or an agency to ensure that that program or agency is meeting legislative intent. So they will take a look at a program, determine whether it's doing what we wanted it to do, from a legislative perspective and then, provide a report and recommendations to the Legislature. The other piece of that is and actually, this ties into a bill that the Executive Board had earlier this session, LB90. The Performance Audit Committee is-- or sorry, the performance audit division is also required to conduct regular, regular audits of our tax-- various tax incentive programs. And so that's a major function of the division at this point, as well.

**BRIESE:** Thank you. Senator Bostar. Speaker Arch.

**ARCH:** I, I would add just one other thing and that is, as I-- this is my first year on that committee, But I think our primary job is to identify what we will be auditing.

**TREVOR FITZGERALD:** Correct.

**ARCH:** Right? And so, there is suggestions that come from members and, and from the body, as to, as to possible topics. And so, I say the person that probably has the broadest perspective on the various issues that have come before the Legislature, so if it's legislative intent, they understand what that particular program is. And so, people with some tenure in the body, I think are of, of most benefit to that committee.

**BRIESE:** Thank you, Speaker Arch. Senator Bostar.

**BOSTAR:** Thank you, Chair Briese, [INAUDIBLE]. Neither, neither Senator Brandt, nor Senator Holdcroft spoke to me about their interest in this. So this is why I think I'm asking a number of questions. Was

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

there any other materials that either senator submitted or a letter or, or provided?

**TREVOR FITZGERALD:** Just the email. Just an email expressing an interest in the vacancy.

**BOSTAR:** Thank you very much.

**BRIESE:** Thank you, Senator Bostar. Anyone else?

**VARGAS:** So there's no, there's no, there's no hard and fast rule. The one thing that I just noticed is that Senator Holdcroft serves on the Planning Committee. I think, again, there's no rule to this, but we have tended to, to have people serve on one of those and not both, because both of these committees have committee priority designations. And there is work. Some of it's done outside of session, some of it within session. And there were other people that were trying to be on the Legislative Planning Committee. So I just-- I don't-- I haven't talked to Senator Holdcroft either. I don't know if he would prefer to be on Performance Audit and he didn't get a spot last time, and maybe he doesn't want to serve on Planning Committee. I haven't talked to Senator Brandt either, but given that he serves on no committees, for Senator Brandt and looking at a little bit of the makeup of the, of the, of the current membership, this is something for people to take into account, because I don't think I've seen people serve on both committees before, having only served on Planning Committee.

**TREVOR FITZGERALD:** Senator Vargas, to your question, I don't think we checked the Planning Committee, but when we looked at the vacancy, when we-- when the committee originally filled the seats on Performance Audit, we had four seats and four nominees. So we did not actually have a ballot last time.

**BRIESE:** Thank you, Senator Vargas. Thank you, Trevor. Anyone else? Senator Lowe.

**LOWE:** Thanks. I've served on Building and Grounds, well, for over six years, I think, and I backed off this year. The members on Building and Grounds, the legislative members, really don't have a big input into how the spending is done. We've tried to have our say and our say wasn't taken. So how much do the legislative members have a say in the Performance Audit?

**TREVOR FITZGERALD:** I think, as Speaker Archer indicated, the, the primary role of, of the Performance Audit Committee is to designate

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

which audits will be conducted by the division. So that-- I mean, what the committee says goes. And I think Martha's just going to take over.

**MARTHA CARTER:** You're doing great, Trevor. I'm going to take over, for the record.

**BRIESE:** Welcome.

**MARTHA CARTER:** Thank you, Senator Briese. My name is Martha Carter. I'm the legislative officer in charge of the Performance Audit Office. And everything that Trevor said is absolutely true. I just wanted to add one other piece, which is the, the role of the committee is key on the, on the two ends of the projects. So I'm always telling the committee, the most important thing is what question you ask us to answer. Because it needs to be a question that you, the committee and the Legislature is interested in, because there's no sense in us going off and doing a bunch of work on something you're not interested in. So that is really important. It's also really important, however, that when we get to the end of the audit, the committee makes recommendations. So we do the study, we follow government auditing standards, have to have evidence, all that stuff. But the committee makes the recommendations, if there are any to be made, in terms of whether changes should be made. And the committee then has a responsibility to try and get those changes in place, either working with an agency, statutory changes if necessary. The committee works very closely with the subject from the committee, so often, it will be the kind of thing where the Audit Committee will support legislation that's maybe introduced by the chair of the subject matter committee. But that, that part is a really key component of the work of the committee members, as well.

**BRIESE:** OK. Thank you for that. Anyone else or any questions? Seeing none, let's go ahead and vote then. Use your notepads. And I think Brandon will-- choosing between Senator Brandt and Senator--

**Unidentified:** Craft? I don't think that.

**Speaker 2:** Takes two years.

**Unidentified:** No matter what happens. We can't.

**Speaker 2:** At boarding schools.

**Speaker 3:** Since.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

**Speaker 2:** Branded, selling, branded. It's really going to get a little more personal.

**Speaker 3:** So I was given a choice.

**Speaker 2:** Which is to be very close.

**Speaker 3:** And I'll tell him no. This is going to be my next guest. That is exactly what she said. So yourself. It's going to be fine right here.

**TREVOR FITZGERALD:** Senator Brandt has been elected.

**BRIESE:** OK. Thank you. Moving on to the next one. Item number four, presentation from the Clerk's Office on legislative office space. Welcome, welcome.

**BRANDON METZLER:** Does Trevor want to give any sort of a-- about the packet or anything?

**TREVOR FITZGERALD:** Yes. So the committee members should have a packet-- the, the title of the packet, it's Legislature's Internal Amendments, Phase 4 and 5. The Clerk's Office has been working with Senator Briese and our office and several other offices over the past few months to look at the legislative space as a whole, basically where all the various divisions and subdivisions in the Legislature are located, in particular, because the end of Phase 3 of the HVAC project is-- Phase 3 is kind of the, the phase that has hit the Legislature the hardest. We have the most divisions that, that are out of their usual space. And so, this document basically lays out some plans that the Legislature has, primarily affecting the offices that are under the control of the Clerk's Office as far as space during future phases of the Legislature. There are several pieces that will then impact several senators' offices, and those senators have all been briefed. All the affected divisions, divisions and offices have been, you know, talked to prior to this. But this is just kind of to brief, the full board on, on kind of what the, the plan is going forward as far as legislative space, when we move into Phase 4 of the HVAC project, which would be at the end of session.

**BRANDON METZLER:** So this is, this is part notice that I intend to move some of my people around. It's already space that the Clerk controls. And then it's part permission, in regards to Senator Ibach, Senator-- the Transportation Chair, Senator Hardin, and, and Senator McDonnell. I, I won't go through the whole thing. I know you guys are on lunch. But basically, the idea was keep my people as close-- we've got people

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

that are on ten, we've got people that are, that are going back to three. I wanted to keep the Clerk's Office as close as possible. And as I started going through that, the dominoes started falling to give other people opportunities for space. We've worked with the executive branch, in the sense of Capitol Commission will be getting their office-- their conference room back early. The Media will be moving back to their space that, that occurred prior to HVAC, early. The 10th floor will be cleared off, which will allow Capitol Commission to move some stuff into storage for the tower phase. So there's a lot of, of moving pieces and I'm, I'm happy to go into detail, either on mike or off mike with anybody that wants to go through it. But those were the, the primary concepts is trying to maximize the use of space for the Legislature.

**BRIESE:** Thank you, Brandon, Do we have any questions? Senator Lowe.

**LOWE:** Are there clearer maps?

**BRANDON METZLER:** Certainly.

**LOWE:** It's hard, it's hard to read the numbers on these maps.

**BRANDON METZLER:** Right. Yeah, we can absolutely do that.

**LOWE:** Old age.

**VARGAS:** We're moving back to the [INAUDIBLE].

**BRANDON METZLER:** Right. And, and they're all scans that are, you know, started small. So we can certainly get stuff clearer. I can run through it super quick. The thought is that basically, Technology will take 1108, through the vault. That currently consists of the legal counsel, if you're on page 8, the map, that consists of the legal counsel for Transportation and what is currently the Bill Room/ Mail Room. That means that Transportation will then move where Technology is currently located, on the south side of the building, which is 1200-1204. My understanding with Senator Geist, I haven't spoke-- obviously, we don't know who the new chair is, but that space will actually provide for a full executive table that they can hold executive sessions in that space. So they're gaining-- basically, everybody's gaining square footage, except for the Bill Room. And I've had a conversation with my individual in the Bill Room and there's an understanding we're going to go to more of a printing-- we're hoping to save a, a ton of money for the Legislature on printing costs. Print what we need. Mail room/ Bill Room. Mail, Mail Room will be on the south side of the building so staff can walk right in. It'll be on the

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

left hand side, first door. They can get the mail. The other savings that's going to occur is Transcribers are coming back from the Centre Terrace building. And as part of that, Capitol Commission will be able to either get out of that contract with Centre Terrace, to save considerable money on the HVAC project, as well. But Tech moves over to Transportation. Transportation moves over to where Tech was. Ibach is left with the result, those two spaces there. And then, upstairs, on page 10, that's third floor, that's right above the Retirement Committee. Basically, that's just going to become Information Office, Transcribers, which is where Technology would move back to during Phase 3. Revisor gains an extra office because there's a new room. Media gains an extra office because there's a new room. Again, other divisions are, are for the Exec Board to determine. This is going to open up some space at the end of HVAC, after Phase 5, which will allow for-- I know there's been some growth in Ombudsman, so that there's potential existing new space that, that could be occupied by the Ombudsman's Office for their growth if they, if they are being-- if they are relocating to the Capitol building.

**BRIESE:** Thank you, Senator Lowe. Thank you. Any other questions? As we have questions, you'll be available, obviously, to go through things--

**BRANDON METZLER:** Any time.

**BRIESE:** --and you'll be able to sit down with anyone.

**BRANDON METZLER:** Certainly.

**BRIESE:** Would you mind spelling your name for the transcriber?

**BRANDON METZLER:** B-r-a-n-d-o-n M-e-t-z-l-e-r.

**BRIESE:** Thank you.

**BRANDON METZLER:** Yep.

**BRIESE:** Anything else?

**BRANDON METZLER:** And, and as I said, the only thing that requires a change from this Exec Board is the room change for Retirement, which has been negotiated from Senator Hardin and Senator McDonnell, and the Transportation room change, which, there was an understanding with Senator Geist and Senator Ibach. Obviously, new chair is in limbo, but they're getting a much, much larger space.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

**BRIESE:** OK. Very good. Thank you for your presentation. Next up, we have item number five, proposed changes to the office assignment policy. Go ahead, Trevor.

**TREVOR FITZGERALD:** Right. So item number five is tied into the item we just discussed, as Brandon mentioned. The office assignment policy-- one of the pieces of the office assignment policy is the assignment of specific office suites to the various standing committees of the Legislature. And actually, you should have the newer draft. I, I in fact, did not replace my old draft, and I've got the new one here. So this, this proposed policy change does two things. One, it, it formally changes the, the office numbers for the Transportation and Retirement Committees, per the, the plan of the Clerk's Office. So Transportation would be moved to the suite as-- that is assigned, to room 1202. Retirement, per the agreement with Senator McDonnell and Senator Hardin would be moved-- or sorry, it would stay in room 1101, which is where Retirement currently is, rather than going back to the Retirement Committee's prior, prior suite. And then there's an additional change and I want to thank, thank Senator Lowe and his office for spotting this issue. In 2015, when Senator Larson was elected chair of the General Affairs Committee, he elected not to move to the General Affairs Committee and made the General Affairs-- his office-- his prior office, the General Affairs Committee office. We have continued to use that new second office as the General Affairs Committee office, but we never changed it in the, in the office assignment policy. So the change that was in the revised version of this would just codify that General Affairs is in, in room 1019, where it's been for, basically, the past decade.

**BRIESE:** Do we have a motion to-- go ahead, Senator Bostar.

**BOSTAR:** Thank you, Chair Briese. And I see, also, you are now-- you're not going to provide insurance.

**TREVOR FITZGERALD:** I'm sorry?

**BOSTAR:** On the-- these edits on the first page.

**SLAMA:** Yeah. As chair of BCI [INAUDIBLE]--

**TREVOR FITZGERALD:** Yes, there is a, there is a-- the, the word insure was-- it was the wrong version of insure was included in the draft, so it's a correcting.

**BOSTAR:** I feel like we're losing a benefit.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

**SLAMA:** No, the benefit is being replaced with that nutritional drink that's called Ensure.

**TREVOR FITZGERALD:** OK.

**BOSTAR:** You, you stand corrected.

**TREVOR FITZGERALD:** Thank you, Senator Bostar. Thank you.

**BOSTAR:** I understand.

**BRIESE:** Good catch. Do we have a motion to approve the office changes as--

**VARGAS:** So moved.

**SLAMA:** Second.

**BRIESE:** Motion by Senator Vargas, second by Senator Slama. Roll call vote.

**SALLY SCHULTZ:** Starting with Senator Bostar.

**BOSTAR:** Yes.

**SALLY SCHULTZ:** Senator Briese.

**BRIESE:** Yes.

**SALLY SCHULTZ:** Senator Lowe.

**LOWE:** Yes.

**SALLY SCHULTZ:** Senator Riepe.

**RIEPE:** Yes.

**SALLY SCHULTZ:** Senator Slama.

**SLAMA:** Yes.

**SALLY SCHULTZ:** Senator Vargas.

**VARGAS:** Yes.

**SALLY SCHULTZ:** Senator Aguilar.

**AGUILAR:** Yes.



**SALLY SCHULTZ:** Senator Arch.

**ARCH:** Yes.

**SALLY SCHULTZ:** Motion is carried.

**BRIESE:** OK. Moving on to the next item, the update on the NCSL pay study proposal. Brandon?

**TREVOR FITZGERALD:** Senators should have received-- I think I set it out last week, after our office received the proposal from NCSL for pay study, which we've been-- it seems like we've been discussing at every meeting for the last couple of months. So the proposed study that NCSL has given us for a-- for pay and classification, they've, they've proposed starting the study in October of 2023. They, they would plan for, I believe it is, three on-site visits in Lincoln of their staff and then, and then for the rest to occur remotely. So they would conduct a series of interviews with, with current staff, distribute questionnaires to, to current staff. They would look at both our pay class-- pay classification, as well as the individual job descriptions within the Legislature and comparing them both to other legislatures as well as to the private sector. The timeline that's laid out, they would have preliminary recommendations and findings to the Executive Board in February of 2024, with a final report due in April of 2024. The last page, which lays out the, the budget-- traditionally, when NCSL does a pay and classification study of this type, they will split the costs with the state that is having the study done. So that's the, the-- basically, the three pieces, there's salary and benefits, travel costs and miscellaneous costs. The salary and benefits costs are split, 50 percent between NCSL, 50 percent to the Legislature, travel costs paid entirely by the Legislature and then miscellaneous costs paid entirely by NCSL. But the cost of the proposal to the Legislature would be \$47,342. I would note, that is actually cheaper than the NCSL study that was conducted in 2000, in part because we are looking at, kind of, fewer items. We're take-- we're only really looking at a couple of items versus-- there, there were a lot of other extra issues that were examined in 2000, that we're not looking to have reexamined.

**BRIESE:** Thank you, Trevor. Senator Vargas.

**VARGAS:** This was highlighted for-- by Trevor, for, for me. And this is support information. So in committee, we supported the funding-- sorry. In Appropriations Committee, we supported funding for this within existing appropriations, because there was more funds within

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

the current line item for the Executive Board. So-- especially since it's one time, in that regard. And my, my only addition is I have a question and then, a recommendation. The question is, is there-- are there members of the Executive Board or is it the, the leadership of the Executive Board that is engaged in, sort of, the ongoing updates or process on, on this project timeline? That's a question. And then second, I would like to make sure that, and maybe this happened in the past, in however they're looking at, you know, the classification and-- I want to make sure that we are taking into account the fact that we don't have caucuses. We don't have, you know, Democrat or Republican staff in the workload that's happening for our 90-day session, when we're looking at-- I don't know if they're looking at a salary step or, you know, what that's going to look like for all of our staff. I just want to make sure that those things are taken into account. So putting that out there for Chairman Briese.

**TREVOR FITZGERALD:** To, to your question, Senator Vargas, one of the points that's in the proposed project overview, point number four, is to review current staffing structure for senators offices as well as legislative divisions. So I would envision that, that you would take a look at how we are structured, because I, I-- you are right. I think from a staff perspective, we are structured quite differently than many other legislatures. We have a number of legislatures where senators don't have personal staff. They just have caucus staff that are assigned to either the majority or minority party, in many cases. So to your, kind of, first question, I have kind of served as the primary contact with NCSL through this process. At some point, again, once the, once the budget passes, the Executive Board would need to approve a contract with NCSL for the, for the study. But that can be, obviously, senator by senator, Senator Briese. But we can certainly keep the board-- the full board advised.

**BRIESE:** Senator Vargas. Thank you, Trevor. Speaker Arch.

**ARCH:** So, question on process. When this-- as, as this goes through the study, there's always a preliminary report that is issued. Where does that go? And, and then to the, and then to the question of final report, is there any confidentiality in the report? Is it immediately released to the public? How, how is that handled?

**TREVOR FITZGERALD:** I would assume that any final report would be considered a public record under our public records statutes. So I don't know that anybody ever requested copies of the 2000 report.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

**ARCH:** But I think-- I, I, I ask that question only that-- before any release, we obviously need to make sure it's right.

**TREVOR FITZGERALD:** Right.

**ARCH:** I've, I've gone through some of these studies in, in industry and business and, and there's a lot of, I say, decisions, as to what really is the comparison of that job to the market. What is-- you know, those kinds of questions, so that is not just NCSL producing, but that we have opportunity to, to be involved.

**TREVOR FITZGERALD:** And, and I think the timeline provides for that, like, like I mentioned, that they plan to have preliminary recommendations in February and then, a final report in April. So I think that gives the board sufficient time to review those preliminary recommendations, see if there's something awry that we want to make a recommendation on. And that's part of also why we scheduled this as part of our meeting today, so that if committee members have feedback on the proposal, they can provide it at this time. And I will say, the 2000 study was kind of structured in a way, where there was an overview and then there was a series of numbered recommendations, some of which the Legislature ultimately adopted and some of which they did not, at the time. So nothing is locking us in to any or all of the recommendations of the study.

**BRIESE:** Thank you, Senator Arch. Thank you, Trevor. Anyone else?  
Senator Riepe.

**RIEPE:** [INAUDIBLE]. This is [INAUDIBLE]. And the-- obviously, it seems like a single vendor. Are there alternatives? I mean, do we look at this? Are we required in any way to, for lack of a better term, to put it out to bid?

**TREVOR FITZGERALD:** We-- I don't think we would be, given the, given the size and, and because it is such a-- it's, it's, kind of, one of those things. There, there aren't very many organizations that specialize in legislative staffing. And I'm, I'm not aware of even like, a CSG or other organization to provide similar services to legislatures.

**RIEPE:** I-- excuse me.

**TREVOR FITZGERALD:** Yeah.

**RIEPE:** You know, to me, staff is staff is staff, whether it's in a hospital or whether it's-- you know, just because it has the

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

legislative label on it doesn't make it that much more unique, in my opinion.

**BRIESE:** Thank you, Senator Riepe. Senator Vargas.

**VARGAS:** It's a good question. I don't know if we have any policies on if-- when we're contracting out, how many bids we have to get. I don't think we have any, which is, I think, fine in this situation. My only addition here is when this was discussed in committee for Appropriations, because we see a lot of bids for-- different agencies come with pay structure studies or something to study, this is-- I think the, the chairman was shocked at how, let's say, affordable this option was. So for just context, I think we're getting bang for our buck.

**BRIESE:** Thank you, Senator Vargas. Senator Bostar.

**BOSTAR:** Thank you, Chair Briese. Just for the Chairman and legal counsel, are you familiar with any other organizations that would, perhaps, be willing to do this analysis and, and split the costs with us?

**TREVOR FITZGERALD:** Not that I'm aware of.

**BOSTAR:** No? Well, thank you very much.

**TREVOR FITZGERALD:** And, and to Senator Vargas' point, I think when we got the study, we were shocked at the dollar amount, as well. So-- in, in a good way.

**BRIESE:** We, like you said, we spent more on [INAUDIBLE].

**TREVOR FITZGERALD:** We, we spent-- the cost, 20 years ago, was, was \$60,000.

**RIEPE:** How much was it?

**TREVOR FITZGERALD:** \$60,000, twenty years ago. And that was our share of the costs, so the total project was over 120.

**BOSTAR:** Are you looking for a motion on this?

**BRIESE:** I, I don't believe so, today.

**TREVOR FITZGERALD:** Yeah. We don't need a motion at this time.

**BRIESE:** Just an update?

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Executive Board April 18, 2023

**TREVOR FITZGERALD:** Yeah. This is just to update. If any members have any feedback or concerns with the proposal, if there's something you'd like us to go back to NCSL and have-- incorporate it, we can certainly do that. So.

**BRIESE:** Well, you're aware that, at some point, we'll meet again and firm things up, when we get closer.

**RIEPE:** I think I did see, in, in HHS, there was one, maybe in the pharmacy, it was \$75,000. That was just a-- probably, a finger in the wind.

**TREVOR FITZGERALD:** OK.

**BRIESE:** OK.

**TREVOR FITZGERALD:** In the case of NCSL, we, we know they've got a pretty good handle on this because they've been doing it for other states for a while. And they did one for us 20 years ago.

**RIEPE:** [INAUDIBLE].

**BRIESE:** OK. OK. Thank you, Senator Riepe. I guess, if nothing else, meeting's adjourned. Thank you, everyone.