

Transcript Prepared by Clerk of the Legislature Transcribers Office

Executive Board February 11, 2026

Rough Draft

HANSEN: All right. Good afternoon, and welcome to the Executive Board. My name is Senator 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'd like to invite the members of the committee to introduce themselves, starting on my right with Senator McKinney.

McKINNEY: Terrell McKinney, District 11.

BALLARD: Beau Ballard, District 21.

BOSTAR: Eliot Bostar, District 29.

IBACH: Teresa Ibach, District 44.

DORN: Myron Dorn, District 30.

ARCH: John Arch, District 14.

JACOBSON: Mike Jacobson, District 42.

HANSEN: Also assisting the committee is our legal counsel, Benson Wallace, and our committee clerk, Natalie Schunk, and our committee page, Lexi. If you notice about our policy and procedures, please turn off or silence your cell phones. We'll be hearing two bills, and we'll be taking them in the order listed outside the hearing room. On the table near the door to the hearing room, you'll find green testifier sheets. If you're playing 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 are 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 an online position comment to submit, the Legislature's policy is that all comments for the record must be received by the committee by 8:00 a.m. the day of the hearing. Any handouts submitted by testifiers will also be included as part of the record as exhibits. If you-- 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 three minutes to testify. When you begin, the light will turn green. When the light turns yellow, it means you have one minute left, and when the light turns red, it's time to end your

testimony. When you come up to testify, please begin by stating your name clearly into the microphone, and please spell both your first and last name. The hearing will begin with each introducer giving an opening statement. We will hear from-- we will then hear from supporters of the bill, then those in opposition, followed by those 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. With that, we will begin with LB1236.

IBACH: Thank you, Senator Hansen. Welcome.

HANSEN: Thank you. 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'm here today to introduce LB1236 on behalf of the board. LB1236 is a straightforward cleanup bill that modernizes provisions related to the publication, printing and distribution of Legislative Journal, session laws, and statutes of Nebraska. It amends several sections of the Reissue Revised Statutes of Nebraska, Revised Statutes Cumulative Supplement, and the Revised Statute Supplement to reflect current practices and improve efficiency in how these essential documents are handled. In an era where digital access is increasingly the norm, this bill authorizes the Clerk of the Legislature to compile and publish the session laws and Journal in print, electric [SIC] format, or both, allowing for flexibility that aligns with technological advancements and reduces printing costs for taxpayers. It shifts primary distribution responsibilities from the Secretary of State to the Clerk of the Legislature, streamlining the process while ensuring that key stakeholders such as county clerks, state agencies, courts, and libraries continue to receive the materials they need. The bill also updates distribution lists and requisitions based on county classifications, harmonizes gender-neutral language, and clarifies delivery methods to successors in office and public libraries. These changes stem from recommendations by the Clerk of the Legislature to aim-- and aim to eliminate redundancies and statutes that date back decades, some originating from a time when physical printing was the only option. By adapting to modern needs, LB1236 ensures that Nebraska's legislative records remain accessible, cost-effective, and efficiently distributed without compromising

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their integrity or availability to the public, government officials, and institutions. Similar updates have been implemented in states like Kansas and Iowa, where shifting to hybrid print-electronic models for session laws has saved significant resources while maintaining transparency and compliance with archival requirements. LB1236 is a common-sense measure to bring our statutes into the 21st century, promoting good governance and fiscal responsibility. I appreciate your time, and ask for your support in advancing LB1236 out of committee and onto General File. Thank you, Vice Chair.

IBACH: Thank you very much. Are there questions from the committee? Seeing none-- or, Senator Arch?

ARCH: So, question, and maybe, maybe others can provide more detail. This gives us the freedom to do what we choose to do, right? I mean, in other words, right now we're bound by a statute that says you've got to print, you've got to distribute, you've got to do all these things.

HANSEN: Yes, hence the need for change in statute--

ARCH: Right.

HANSEN: --instead of just a policy change.

ARCH: But the, but the change is to give us the freedom to decide the best way to distribute. We can do it electronically, we can do by print.

HANSEN: Yes.

ARCH: And so, is there-- would there then be a policy to follow?

HANSEN: I would assume so, but I would have to figure that out.

ARCH: OK. We can--

HANSEN: Yeah, right now we need to get this through so that we at least have the flexibility to do that.

ARCH: OK. Thank you.

IBACH: Thank you, Mr. Speaker. Other questions? So, this just gives us-- because we can already print from our own offices.

This just gives us the flexibility to be able to continue to do that and, and not a, a mandate that--

HANSEN: This has a lot to do with the books that we hand out to--
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IBACH: OK.

HANSEN: --counties, and instead of mandating that we, you know--

IBACH: Print them?

HANSEN: --print an entire book for them--

IBACH: Yes.

HANSEN: --they have to-- they-- they're required to ask for it. And so, again, flexibility, but also kind of moving into the modern age of digitizing documents so we're not wasting a bunch of paper, and also save the taxpayer money.

IBACH: OK. Good clarification. Thank you. Seeing no questions. Thank you.

HANSEN: Yep.

IBACH: You'll close?

HANSEN: Yep.

IBACH: Thank you. Can we have proponents of LB1236? Anybody speaking in favor of this bill? Seeing none. Are there-- is there opposition? Anyone speaking opposed to LB1236? Seeing none. Is there anyone in the neutral position? Anyone speaking in the neutral? Thank you very much, and welcome back.

MARCIA McCLURG: Thank you. Good afternoon, Chair Ibach and members of the Executive Board. My name is Marcia McClurg, M-a-r-c-i-a M-c-C-l-u-r-g, and I am the Revisor of Statutes and Bill Drafter for the Nebraska Unicameral Legislature, and I want to thank you for the opportunity to speak with you this afternoon. I'm here today in a neutral capacity regarding LB1236 related to the publication, printing, and distribution of Legislative Journals, session laws, and statutes, and I am specifically addressing the bill and the amendment that was introduced today,

as it affects the statutes. LB1236 requires the Clerk of the Legislature to distribute the statutes, replacing the duties of the Supreme Court and the State Law Library. LB1236 does not alter the statutes requiring the Revisor to print and certify the statutes. In making this shift, I believe the Revisor's office would be happy to be a resource as the details are worked out. The amendment provides for a policy that the Executive Board would adopt. The contract for the printing that I enter into includes the number of volumes and the requirements for delivery to begin the distribution. Right now, the volumes are reissued on a rotating basis approximately every 10 years, so we need to keep those books for 10 years to be able to distribute them. Having the books in print format provides for easy authentication of the statutes; people can rely on them, they know that those are the statutes. They preserve the statutes for archival purposes, and they provide access to the statutes by judges, legislators, attorneys, and the public. The Revisor's office has continued to reduce the number of volumes printed based on demand, and would continue to work with the Clerk to manage the number volumes printed and stored. The contract for the formatting and manufacturing of the statutes has most recently been with Thomson Reuters through West Publishing. The Revisor's office edits the formatted proof, and after several weeks to months of reviewing the material, consisting of anywhere from 2,000 to 7,000 pages, the Revisor's office approves the proof copy for manufacturing. Then, the boxes are delivered-- there's-- they are delivered to the warehouse and the State Capitol and distributed from there. This would then become the responsibility of the Clerk's office. The Revisor's office is ready to work with you to carry out this shift in distribution responsibilities, and I want to thank you for the opportunity to speak with you, and we'd be glad to answer any questions you might have.

IBACH: Very good. Thank you. Are there questions for this testifier? Seeing none. Oh, sorry, Senator Dorn.

DORN: Thank you, Chairman, and thank you for being here. Approximately what's the cost of one of these copies when you're in the print form?

MARCIA McCLURG: In the print form, we're looking at in the neighborhood of \$70 to \$90 for a set of three, so \$30 a book.

DORN: \$30? Thank you.

IBACH: Thank you, Senator Dorn. Seeing no other questions, thank you very much for that clarification. Any other neutral testimony? Welcome.

BRANDON METZLER: Thank you, Madam Vice Chair, members of the committee. My name's Brandon Metzler, B-r-a-n-d-o-n M-e-t-z-l-e-r. I'm the Clerk of the Nebraska Legislature. It's an honor to be here in front of you today talking about LB1236. As Senator Hansen said, in a word, this bill is flexibility, especially with the amendment. What it does is it takes everything that is currently bound in statute, and takes those requirements of you as the Legislature and brings them into a flexible policy that you can adapt. Right now, you have a list of entities that are given free copies of these publications, whether it be session laws, bound Journals, or the printed statutes; you are required to give those out. There are entities that in the past have reached out to my office and, and Revisors and said, you know, we don't want those anymore. We are forced to continue to print those. I mean, we work with them if we can. There are certain senator offices that we print for right now, where it's just a set number; we print those, many-- you know, some of you end up recycling those and don't need the required three copies. This is the idea that-- let's ask first. It's flipping this presumption. Let's ask first what we need to print, and then print said documents once we know what the requirements are of those entities that are entitled. It gives you the flexibility for pricing if you ever want to, you know, work with those entities on them budgeting for it instead of, of the Legislature budgeting for it. You just-- you have, you have way more flexibility when it's in a policy. You can work with the stakeholders; you don't need to come in every year and change said statute. I've worked closely with both the Clerk of the Supreme Court as well as the Secretary of State's office. You'll see from online comments the Secretary of State came out in favor. The Clerk of the Supreme Court, unfortunately, was unable to be here with a, with a prior conflict. They are in support. We continue to work closely with them. We will continue to do so, to keep them in the loop in terms of what you guys are thinking for on policy as this develops over, I suspect, the interim. But I just-- again, this is a, a-- the flexibility to the Legislature to potentially cut some costs on the amount of printing that is done in this building. We've had great success with the print-on-demand. I'm not saying this would be like the bills, where we do it print-on-demand, but I'm just saying looking at those type of efficiencies, we've cut hundreds of thousands of dollars out of the legislative budget by being able

to look at why do we print the number we have. Typically, that's because that's the way we've always done it, and maybe there's some efficiencies to be found there.

IBACH: Thank you. Are there questions from the-- Senator Dorn?

DORN: Yes. Again, thank you, and thank you for being here. When will the, I call it, the effective date of this be? Assuming this bill passes in this session, what, what are-- when are you going to implement this, that you maybe will ask for a different amount of copies for--

BRANDON METZLER: Yes, Senator, the idea is January of 2027. So, that'll be a new fiscal year, or, you know, the start of the new fiscal year. They'll put in their budget requests this fall, so the idea would be we would put out the request. The-- you'll see in there the initial bill, and then presumably the policy would allow for us, at the start of every January, before January 31, we would out a, a, you know, blast to all the entities that are entitled to documents, you know, saying Senator Dorn, under this policy, your office is entitled to three sets of statutes, two bound Journals, and four session, session law hard copies. Out of those, how many would you like? You know, we get that number back, we have a better idea of how much printing we need to do, instead of we print all of that and just hope that you need it.

IBACH: Thank you, Senator. Other questions? Senator Arch.

ARCH: The development of the policy itself, you said that's something that we can do over the-- this interim coming up, so that it's ready--

BRANDON METZLER: Yes, sir.

ARCH: --come '27?

BRANDON METZLER: Yes. Yeah, the, the intention would be to sit down with stakeholders this summer, my office, the Revisors, that sort of a thing, and, and report back to you kind of where everybody's at, and let you formulate a policy that, that works for everybody and, and still gets those copies, but potentially with less volume. And it would be effective January of '27, so you've got this interim to work through.

ARCH: Thank you.

IBACH: Thank you very much. Senator Bostar.

BOSTAR: Thank you. And thank you, sir, for all the information. The fiscal note has a savings range of \$1,000 to \$200,000. That's a, a significant range of 200x. Based on the conversations that you've had previously of folks saying that, you know, we don't need this, do you have any sense of sort of what savings can be achieved?

BRANDON METZLER: I, I, I mean, Senator, the reason for that flexibility is it all comes down to how you determine your policy, right? If you say that, that you're going to go all digital tomorrow, you're saving, you know \$300,000-plus a year in, in printing costs.

BOSTAR: Sure.

BRANDON METZLER: Not that that's, you know, the assumption.

BOSTAR: But I, I guess-- all right, let me ask a, a different way. If, if we continue to print for those who are interested in having us print for them, and we stop printing for those that at least have indicated that they don't need as much or any of the printing to happen, what's that look-- I mean, what share of that is--

BRANDON METZLER: I, I think you can reasonably expect \$50,000 to \$75,000 in savings, based on-- I mean, the Legislature alone, when we did a-- just kind of an informal survey, most offices don't want more than a single set of statutes, if any; most, you know, have gone digital. That's what spurred this, was the request by staff this summer to say we have these, we don't need these, it's digital. I, I suspect there will be-- especially with the bound Journals and the session laws-- you know, people like statutes on their, their bookshelves; not everybody wants a bound session law book. So, I, I think you'll see, I guess. We just got the bill for bound Journals: \$56,000 by itself. If-- you know, I'm not saying that's all going to go away, but the amount of, of entities that will cut down, I would think, on bound Journals would be significant.

BOSTAR: All right. Thank you.

IBACH: Thank you, Senator. Other questions? Speaker Arch?

ARCH: Thank you. So, one of the big questions is opt-in or opt-out, right? Are you presuming people want it, or do they have to ask for it? Is that a matter for the policy, or is that a matter for statute?

BRANDON METZLER: I would presume it's the policy. I mean, it was originally written in the statute, and then what we did is basically go back and say, we're going to do this all in the policy. I think you would keep the same structure, and that's kind of what we had talked to with the Clerk of the Supreme Court and other entities that were interested, is the policy will probably start from where the original statute started, which is the presumption of opt-in. In January, we print it, but I don't know that-- you know, if, if the idea is flexibility around printing, I think the less you put in statute, the more flexibility you all have. Ultimately, you're all-- you know, it's your budget, you're all paying for the publication, the printing of these documents, so I think idea, from this perspective, has been give yourselves the most flexibility you can so that in the policy, you know, you make the determination whether it's an opt-in, opt-out.

IBACH: Thank you. Other questions? You-- I think they mentioned that Kansas and Iowa-- and this might be a question for Senator Hansen-- Kansas and Iowa have adopted similar rules. Have you had a chance to discuss that with anybody or [INAUDIBLE]?

BRANDON METZLER: Not those states specifically, Senator. I am aware of many states that do have this hybrid option. They do have-- I-- usually, it's in their statute; not everybody goes to policy. But a lot of states-- you know, some states have adopted full digital documentation as their official record. Again, not a recommendation being made to this committee, certainly, but there is some of that gearing towards looking at digital aspects and digitizing some of the official documents the Legislature puts out.

IBACH: Thank you. Seeing no other questions, thank you very much.

BRANDON METZLER: Thank you.

IBACH: Anybody else in the neutral position? If not, we'll ask Senator Hansen to come back and close.

HANSEN: Do you have letters over here? I don't know if we have any yet.

IBACH: Yes. In the meantime we have letters: 1 proponent, 1 opponent, and none in the neutral. Thank you.

HANSEN: Thank you. First, I want to congratulate this Executive Board. I think we have made huge strides that have not been done probably for decades on things that maybe should have been done in order to be more efficient and cut costs but still provide everything that we need to. And this is just one of those measures as well that-- like, Senator Bostar had his questions-- this has the potential for some significant savings for the taxpayer, and showing that we're doing our part too on tightening our belt, being efficient, looking how we can cut costs just like we expect, you know, maybe the taxpayers to do as well, and the Legislature as a whole. So, I think it's a good move, and I, I have my thoughts that we would discuss probably further about where I would like to see the publication of these Journals and other books, so that, that'll be something for us to discuss now that we have some kind of flexibility, which, which I think is appropriate. I know these books look really nice in our offices, but I'm going to go on a limb to say probably 90% of us have not even opened any of these books. And so, it seems like a little bit of a waste of taxpayer money and trees [INAUDIBLE] worse, so we're being green as well. All right, so, I'll do my best to answer any questions, if anybody has any.

IBACH: Are there questions from the committee? Seeing none, thank you very much.

HANSEN: Thank you.

IBACH: That will close our hearing on LB1236. Thank you. Now, we will open on LB1065. Senator Hansen, welcome back.

HANSEN: Yep. Thank you again, 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'm here today to introduce LB1065 on behalf of the board. LB1065 is a practical update to streamline the compilation, certification, and distribution of Nebraska's Constitution, ensuring it remains accurate, accessible, and efficiently managed in both digital and print formats. It amends

section 49-1701 of the Reissue Revised Statutes of Nebraska to shift the timing of updates from after constitutional amendment elections to following each regular legislative session, allowing for more consistent revisions that incorporate any changes, including notes on section sources, judicial declarations of unconstitutionality, and other discretionary annotations by the Revisor of Statutes. Under this bill, the Revisor compiles an updated copy and transmits it to the Secretary of State for review and certification within 10 days after the election. The Secretary certifies the accuracy, and the Clerk of Legislature then makes it available electronically on the Legislature's website, includes it in the session laws, and prints pamphlets for public distribution upon request. These certified copies serve as the official version and prima facie evidence in Nebraska courts. The bill also provides flexibility; if no changes occur in a given year, the Revisor may opt not to compile a new version, instead notifying the Secretary of State to use the most recent certified copy. Additionally, the Secretary maintains archival copies of all editions. These revision, revisions address outdated processes that were tied solely to amendment adoptions, promoting efficiency in an increasingly digital age while maintaining transparency and public access to our foundational document. They stem from recommendations by the Revisor of Statutes that align with the best practices for constitutional maintenance, reducing unnecessary administrative burdens without compromising the integrity of the document. Similar modernizations have been adopted in states like Colorado and Missouri, where, where shifting to session-based updates and hybrid digital-print distribution has improved accessibility, cut costs, and assured timely reflections of legal changes. LB1065 is a common-sense measure to enhance the handling of Nebraska's constitution, fostering good governance and fiscal responsibility. Given the emergency clause to allow immediate implementation, I appreciate your time and ask for your support in advancing LB1065 out of committee and onto General File. Thank you, Madam Vice Chair.

IBACH: Thank you, Senator Hansen. Are there questions from the committee? Seeing none. Thank you very much. We'll ask anyone that is a proponent LB1065 Welcome.

MARCIA McCLURG: Vice Chairperson Ibach and members of the Executive Board, for the record, my name is Marcia McClurg, M-a-r-c-i-a M-c-C-l-u-r-g, and I am the Revisor of Statutes and Bill Drafter for the Nebraska Unicameral Legislature, and I want to

thank you for the opportunity to speak with you this afternoon. The packet you have includes various portions of the original bill that enacted Section 49-1701 in case you have inform-- questions about that. It was enacted in 2016 by LB686 introduced by Senator Chambers; I have attached the history as well, and, according to the statement of intent, LB686 establishes a process for the development and publication of a certified version of the Nebraska Constitution with annotations of cases affecting its operation. Such version shall constitute the official version of the Nebraska Constitution, and they may be cited as prima facie evidence of the law in all courts of this state. I will not go through my entire printed statement; you have that in front of you. Just a comment: the purpose of this is just to change the timing, it's not to change any of those indicated requirements of the statement of intent. We are not trying to change what the certified version is. It just makes much more sense to certify it after the amendments are adopted by the people at an election rather than at the end of a legislative session. So, I want to thank you for your time, and ask you that you would advance this to the floor of the Legislature and see if you-- if I can answer any questions.

IBACH: Thank you. Thank you for the clarification. Are there questions from the committee? Seeing none, I think we're good. Thank you.

MARCIA McCLURG: Thanks.

IBACH: Anyone else speaking as a proponent of LB1065? Seeing none. Is there anyone here in the neutral position-- opposition for 1065? Anyone in the neutral position for LB1065? Seeing none. Senator Hansen waives his closing. We had 0 proponents, 0 opponents, and 1 neutral letter. That will close our hearing on LB1065. Welcome back, Senator Hansen.