

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

General Affairs Committee
March 23, 2009

[CONFIRMATION]

The Committee on General Affairs met at 1:30 p.m. on Monday, March 23, 2009, in Room 1510 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on gubernatorial appointments. Senators present: Russ Karpisek, Chairperson; Kent Rogert, Vice Chairperson; Colby Coash; Tanya Cook; Merton "Cap" Dierks; Annette Dubas; and Scott Price. Senators absent: Mike Friend. []

SENATOR KARPISEK: Okay. We're going to get started. Welcome to the General Affairs Committee. I'm Senator Russ Karpisek and I'm from Wilber and I'm the Chair of the committee. To my far right will be Senator Coash. He has a meeting going on until about 2:00; next to him should be Senator Friend. Senator Friend had to head back to Omaha this afternoon. Next to him is Senator Cap Dierks of Ewing; Senator Rogert of Tekamah will be joining us shortly; to my immediate right is Josh Eickmeier, committee legal counsel, from Seward; to my left is Senator Dubas of Fullerton; to her left is Senator Cook of Omaha; and Senator Price of Bellevue. And our committee clerk is Joan Snyder, or Joan. Our pages are Courtney Ruwe and Ms. Gay. Today we'll have seven confirmation hearings. We have five confirmation hearings for the Nebraska Arts Council followed by two for the State Electrical Board. After each confirmation hearing we would like to hear testimony in support of the nominee, then testimony in opposition, and finally neutral testimony. If you're planning on testifying in any capacity, please fill out one of the sheets at the back and...I do this every time, I get ahead of myself. They're on the tables at back of the room. Fill them out. Please bring up the filled in sheet before you testify. When it is your turn to testify, give your sign-in sheet to one of the pages so that they can give it to the committee clerk. This will help us make a more complete and accurate record. If you have handouts, please make sure you have ten copies for the page to hand out to the committee. When you come up to testify, please speak clearly into the microphone. Please tell us your name and spell your first and last name. Also please tell us whom you're representing, if anyone. Please turn off your cell phones, pagers and anything else that beeps. Please keep your conversations to a minimum or take them out in the hallway, and thank you for your cooperation. Now, we will begin with the confirmation hearing of Jeanne Ross who is represented here today by Senator Galen Hadley. Senator. []

SENATOR HADLEY: Senator Karpisek and members of the committee. It's with real pleasure that I come to you to talk to you about the nomination of Jeanne Ross for the Arts Board. I have known Jeanne for 19 years, which is really great because sometimes when you come as a Senator to do these, you may not know the person quite as well. But Jeanne was one of the first people I met when I moved to Kearney. I've known her all 19 years. I served on many boards with her and am a very close personal friend of hers. She's been very involved in the arts work in Kearney throughout the years. She's been very involved with Museum of Nebraska Art (MONA), which is the Nebraska Arts collection. She's worked with us on fund raising activities. My wife and I were cochairs

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of the Spirit event a couple of years ago and Jeanne was one of our members, committee members, that helped us a great deal on that. She's been involved in the theatre. She's worked real hard for our community theatre. She works real hard for the Rowe Sanctuary, so she's very involved in all kinds of different community work, and such as that. I can think of not a better person in the world to be on the Arts Council. She really does love the arts. She's an avid reader. Just as a side, she is...Marilyn and I started a book club when we were...my wife and I started a book club when we came to Kearney and Jeanne and her Bill have been a member of that for 19 years now. We meet one Sunday every month to go over...read literature and such as that. I know that may be a little shock to you that I would be involved in something like that but I do. And Jeanne is very, very involved. I took it upon myself that I knew that she asked me to speak for her and it was important enough so I actually two weekends ago flew to Phoenix and spent four nights, Marilyn and I spent four nights with Jeanne Ross and her husband in Phoenix learning about her art work and such as that. I say that laughingly, but we actually did go down and spend four nights with them in Phoenix. And it was just amazing again to see her home down there that she's decorated with all the art work and you know how she can really talk about art and really has a love and a passion for the arts. So with that, I can't think of a better person to represent the 3rd District on this very important board. And I'd be happy to answer any questions you might have. [CONFIRMATION]

SENATOR KARPISEK: Thank you, Senator Hadley. Any questions? Senator Dierks. [CONFIRMATION]

SENATOR DIERKS: Well, I'd just like to say that's quite a chore to drive all the way to the southern part of the United States just so you get the information you needed for her hearing. [CONFIRMATION]

SENATOR HADLEY: Well, you know, that Senator Karpisek told me that I had to do a real good job of being able to know this person real well so I just took it upon myself to do that, Senator Dierks. [CONFIRMATION]

SENATOR DIERKS: That's just great. [CONFIRMATION]

SENATOR KARPISEK: Thank you, Senator Dierks. Any further questions? Seeing none, thank you, Senator. Do we have any proponents for Jeanne Ross? Are there any opponents? Seeing none, is there anyone testifying neutral? Seeing none, that will end...do you want to close, Senator? That will end the hearing for Jeanne Ross. Thank you, Senator Hadley. Senator Rogert is joining us from Tekamah, and he is the Vice Chair of the committee. Next we will have the hearing for Louise Kent. And again for the Nebraska Arts Council. Welcome. [CONFIRMATION]

LOUISE KENT: Thank you. It's a pleasure to be here, a real honor. Thank you. My

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name is Louise Kent, L-o-u-i-s-e, last name, Kent, K-e-n-t. [CONFIRMATION]

SENATOR KARPISEK: Can you tell us a little about yourself and why you want to be on the Arts Council. [CONFIRMATION]

LOUISE KENT: I was approached to be on the Arts Council by a former member, Gretchen Peters. She thought I would be a good candidate and she talked to me about it and she brought Suzanne Wise, executive director, and the program director also, to visit with me and have a little interview. And after visiting with them I agreed that I have the skills and the organization and the interest in the arts combination to fulfill this position. And because I am fortunate enough to have a very supporting husband, my husband, Doug, who said he would drive me through all kinds of rain and snowstorms to get to where I need to go because I am from Scottsbluff and a lot of times the meetings are in the east. I agreed happily to do that. I have a lot of experience organizing, developing, creating, and organizing large events and some that are ongoing and you have all my information so I'm sure you can see those things for yourself. I'll be happy to answer any questions that you have about that. [CONFIRMATION]

SENATOR KARPISEK: Thank you, Ms. Kent. Any questions? Senator Dierks. [CONFIRMATION]

SENATOR DIERKS: Well, I'd just like to say that you've driven a long ways to be here to visit with us. I've made that trip two weeks ago to Gering and back and so we know what it's like to do that. [CONFIRMATION]

LOUISE KENT: And I will be doing it several times during the year, quarterly meetings, panel meetings, and also committee meetings, so. [CONFIRMATION]

SENATOR DIERKS: Are those meetings mostly held in Lincoln? [CONFIRMATION]

LOUISE KENT: In Omaha mostly and other areas. [CONFIRMATION]

SENATOR DIERKS: Okay. [CONFIRMATION]

SENATOR KARPISEK: Thank you, Senator Dierks. Any other questions? Senator Price. [CONFIRMATION]

SENATOR PRICE: Thank you for coming down Linda and weathering the travel. Do you have a particular focus for the arts, for a group or a genre of art that you would be trying to foster with a particular group? [CONFIRMATION]

LOUISE KENT: No. I am an artist in all ways. I am a visual artist, a performing artist, a pianist, an organist. I cover all of the arts in my love of the arts. And also I feel I have a

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very global appreciation for the arts in every aspect of those who are wanting to do art well. I don't have any particular area that I want to see more than the other because I think they're all very...they're the kind of thing that enriches us as human beings, no matter what it is. [CONFIRMATION]

SENATOR PRICE: Yes, I notice in your resume that you have very collective grouping of art, talents. And then also that working with youth and that's...I didn't know if one was going to lend itself in a predominant manner than the other, but very impressive. And thank you for your interest. [CONFIRMATION]

LOUISE KENT: Thank you very much. [CONFIRMATION]

SENATOR KARPISEK: Thank you, Senator Price. Any further questions? Senator Dierks. [CONFIRMATION]

SENATOR DIERKS: I see that you have given piano lessons. [CONFIRMATION]

LOUISE KENT: Yes. [CONFIRMATION]

SENATOR DIERKS: Well, my granddaughter has taken piano lessons in Gering. Her name is Kristen Upp and she... [CONFIRMATION]

LOUISE KENT: Kristen Upp. Her father is a veterinarian. [CONFIRMATION]

SENATOR DIERKS: Yeah. And her mother is my daughter. And she has her own piano recital coming up, I think, the first of May, so. [CONFIRMATION]

LOUISE KENT: I will have to make an appointment to attend that. [CONFIRMATION]

SENATOR DIERKS: I will too. [CONFIRMATION]

LOUISE KENT: Who is her teacher? [CONFIRMATION]

SENATOR DIERKS: You know, I should be able to tell you that, but I can't. She lives on the west edge of Gering, right west of the high school. [CONFIRMATION]

LOUISE KENT: I will see you there, Senator. [CONFIRMATION]

SENATOR DIERKS: Good. [CONFIRMATION]

SENATOR KARPISEK: Thank you, Senator Dierks. Any other questions? I would just like to say it's great to have...we need the whole state represented well and it takes a special person to want to put in all those miles, and thank goodness for your husband to

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drive you around but otherwise you'd have to do it. But we do appreciate that because sometimes we know the farther west you go, sometimes you feel forgotten, but you're not, so. [CONFIRMATION]

LOUISE KENT: Thank you. That's music to my ears. Thank you very much. [CONFIRMATION]

SENATOR KARPISEK: So we appreciate the different things that you can bring. The different views, so thank you. [CONFIRMATION]

LOUISE KENT: Thank you. [CONFIRMATION]

SENATOR KARPISEK: Thank you. Okay. Any further questions? Seeing none, do we have any proponents for Ms. Kent? Senator Harms will come up and swap you out. Thank you. [CONFIRMATION]

LOUISE KENT: Thank you very much. [CONFIRMATION]

SENATOR KARPISEK: Welcome, Senator. [CONFIRMATION]

SENATOR HARMS: Well, thank you. My name is John N. Harms, H-a-r-m-s. And Senator Karpisek and colleagues, it's a pleasure for me to be here to recommend Louise Kent for the Arts Council. I've known Louise for at least 30 years and worked with her on several projects during that time. As you see her resume, she's a very talented woman and to be very honest with you, I couldn't think of a better choice. If you ever have the opportunity to see some of her paintings and some of her work it's just outstanding. And the fact that she moved in all different phases in our community in the arts world is, I think, extremely important, particularly when she gives lessons and works with children that are disadvantaged in our community and gives piano lessons, I think, says a lot about her. And I would just recommend her very highly. I have no reservations. She'll be great and she'll do some wonderful things. Be happy to answer any questions. [CONFIRMATION]

SENATOR KARPISEK: Thank you, Senator Harms. Any questions for Senator Harms? Seeing none, thank you very much. [CONFIRMATION]

SENATOR HARMS: Thank you. You're very kind today. I'll come back and see you guys again. (Laughter) [CONFIRMATION]

SENATOR KARPISEK: Just don't bring a bill the same time, we'd be fine. (Laughter) Are there any other proponents? Do we have any opponents for Ms. Kent? Seeing none, is there anyone to testify in neutral? Seeing none, that will end the hearing for Louise Kent. The next one is Vicki Bromm for the Arts Council, and we have Senator

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Langemeier to present for Ms. Bromm. Welcome, Senator. [CONFIRMATION]

SENATOR LANGEMEIER: Chairman Karpisek and members of the committee, my name is Chris Langemeier, that's C-h-r-i-s L-a-n-g-e-m-e-i-e-r, Langemeier. I represent District 23 and I can see how you try to keep these hearings, keep the heat turned up, huh, (laughter) to make this go quickly. It's my pleasure to be here on behalf of Ms. Vicki Bromm. She's a reappointment to the Nebraska Arts Council. She's the owner of VBDesign, Inc., an interior design firm in Omaha, Nebraska, or in Wahoo, Nebraska. In addition to that, she's an instructor of design at both Lincoln and Omaha campuses of the University of Nebraska. She's been very active throughout the textile gallery board as well as being on the board of Teammates out of Wahoo and a number of other great organizations. She has a BS and an MS from the University of Nebraska in Lincoln. And again, she is a reappointment. She has shown some great dedication to this board as well as the community of Wahoo. And it's a privilege on my behalf to be here for her, and she sends her best regards, but due to scheduling she couldn't be here. [CONFIRMATION]

SENATOR KARPISEK: Thank you, Senator Langemeier. Any questions for Senator Langemeier? Seeing none, thank you very much. [CONFIRMATION]

SENATOR LANGEMEIER: Thank you very much. [CONFIRMATION]

SENATOR KARPISEK: Do we have any proponents for Ms. Bromm? Welcome. [CONFIRMATION]

SUZANNE WISE: Hi. My name is Suzanne Wise, S-u-z-a-n-n-e W-i-s-e, and I'm the director of the Nebraska Arts Council and I just want to go on the record for Vicki Bromm that again through a scheduling difficulty she could not be here today. She has a disabled neighbor who needed a ride to the doctors and that had gotten scheduled at one day and then they changed it. So she has a great dedication to the Nebraska Arts Council and she felt very bad that she couldn't be here today to let you know that she had that commitment. So I just wanted to make sure that that was on the record. Thank you. [CONFIRMATION]

SENATOR KARPISEK: Thank you. Any questions? Seeing none, thank you. Do we have any further proponents? Are there any opponents of Vicki Bromm to the Arts Council? Anyone testifying neutral? Senator, would you like to close? Senator Langemeier will waive closing. Thank you. That will end the hearing for Vicki Bromm. The next is Julie Jacobson for the Nebraska Arts Council. Welcome. [CONFIRMATION]

JULIE JACOBSON: Welcome, Senator Karpisek and members of the committee on General Affairs. My name is Julie Jacobson, J-u-l-i-e, Jacobson, J-a-c-o-b-s-o-n. [CONFIRMATION]

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SENATOR KARPISEK: Tell us a little bit about yourself and why you'd like to be on the Arts Council. [CONFIRMATION]

JULIE JACOBSON: I am a reappointment to the Nebraska Arts Council. I thoroughly loved the past three years that I had the opportunity to serve on Nebraska Arts Council. What I love about it is that it brings opportunities to our area of North Platte. When I serve on the Council then I hear about some of the programs, especially for the youth. If you ask for a focus, that's probably the focus even though if you look at my degrees, my Bachelor of Science is in biochemistry and nutrition and my master's is in math and statistics. And so I served as a, I was a biochemist for 12 years so that has nothing to do with arts except for, it takes a little bit of creativity and research. But that part of my brain serves really well in writing grants and finding financing and funding for the arts which we need very desperately in our part of the state. And I serve on other...I guess I'm good at partnering and that's a good thing for the arts as far as finding funding for our area of the state. I love...we just recently had the Omaha Symphony come out and work with 350 fifth graders in a Lincoln program that Omaha has already but Omaha came out and did that with our students and they were just totally motivated and inspired and it's days like that that tell me why I do what I do. So I...after what I've done since we moved to North Platte, most of my life has been in the Lincoln, Nebraska, area around Lincoln. And it's been wonderful to be out there. My husband is Mike Jacobson. We have ownership in a bank out there and so what happens is, I get him to be one of my financial investors for a lot of the opportunities we provide for students. And like I said, it makes my heart really happy to have Sheldon Statewide and a lot of opportunities that we have for the states. But it also gives me an opportunity, I guess, I've been in the playhouse. I've been involved...if you look at my resume, just when you live in a smaller community I dusted cobwebs off of my bassoon and I play in the local Sandhills Symphony and I'm able to be in Heartland Singers and a lot of things like that where you connect with others and promote the arts, so. Not being a visual artist myself, being instructed other way, I truly promote all aspects of the arts.
[CONFIRMATION]

SENATOR KARPISEK: Very good. Thank you very much. Any questions? Senator Dierks. [CONFIRMATION]

SENATOR DIERKS: Well, yes, thank you. Julie, I'm interested in a couple statements on your resume. Lipogenesis and bovine adipose tissue, that seems like an interesting subject to me. [CONFIRMATION]

JULIE JACOBSON: I know, I miss that desperately, working in the research lab.
(Laughter) [CONFIRMATION]

SENATOR DIERKS: And the other thing I noticed was that you play the saxophone in

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the city band. [CONFIRMATION]

JULIE JACOBSON: Yes, yes, I still keep the saxophone up. I'm also with our church, I'm the choir director and our church organist and so I love all the opportunities that brings with and do the bell choirs. So again, working with children, bringing adults and children together in the church for worship service, so. [CONFIRMATION]

SENATOR DIERKS: When I was in the fifth grade I started taking band lessons and I guess I was the biggest kid in the class because they gave me the tuba. (Laughter) And I think they made the tuba for polkas or maybe they made polkas for tuba, I'm not sure which, but we used to do that on a Saturday evening. We'd come in from the ranch and the hay fields and gather all our instruments, the high school kids, and go down to the main street in town, which is open store night, and just play polkas all night. And we have a large Czech community, quite a few Polish people there, and they loved it, and I loved it. Well, I went back a few years ago and tried to do it again but that tuba doesn't work with a moustache so I'm going to have to try a new...maybe the drums. (Laughter) Well, thanks for coming. You've come quite a ways too. [CONFIRMATION]

JULIE JACOBSON: Yes, from North Platte. It's a pleasure though to travel the state to have the opportunity to serve on these situations, meet other people, and bring opportunities back for North Platte, so. [CONFIRMATION]

SENATOR DIERKS: Good. [CONFIRMATION]

SENATOR KARPISEK: Thank you, Senator Dierks. Senator Dubas. [CONFIRMATION]

SENATOR DUBAS: Senator Karpisek. Thank you Ms. Jacobson for coming. I appreciate on your application where you have occupation you have, chemist/housewife. I think that's very appropriate. Many times women will say, oh, I'm just a housewife and I think we all know those of us who are housewives, are much more than that and I think that just goes to show the diversity and the things that housewives are able to do. [CONFIRMATION]

JULIE JACOBSON: Thank you. And my science background moved me, you know, like, people would put me in the forefront with master gardeners or whatever I was doing. Oh, well she can do that as if you know everything about any aspect of science, you know, if you studied one aspect of science. So it also moved me in an interesting direction to be a team leader for my daughter as she was going through and my son through 4-H and helped a lot of youth again. Again, that was a passion and continues to be a passion of mine because not every child...my children were both in athletics and when you are in a small community you can be involved in athletics and the arts. But I have seen firsthand the effect that the arts can have on ATT levels and just self-esteem. And I have worked with hundreds of at-risk kids. And we've had Friday art club

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situations where we do arts with them and things that they disclose during that period of time is very heart warming. So arts can reach children much better than any other thing that I have ever found, so. [CONFIRMATION]

SENATOR DUBAS: Well, I think your diverse background really does complement the arts, so very glad that you are a member. [CONFIRMATION]

JULIE JACOBSON: Oh, well, thank you, thank you. I always say I dabble in a lot of things, master of none, so. (Laughter) [CONFIRMATION]

SENATOR DUBAS: Well, thank you. Thank you for making the trip also. [CONFIRMATION]

SENATOR KARPISEK: Thank you, Senator Dubas. Any other questions? Senator Cook. [CONFIRMATION]

SENATOR COOK: Thank you very much, Mr. Chairman. Ms. Jacobson, I have a question. I noticed that you were part of the cast or pit for Westside Story. [CONFIRMATION]

JULIE JACOBSON: Yes. [CONFIRMATION]

SENATOR COOK: And I want to know what your favorite number is in that show. Because it's a great show. [CONFIRMATION]

JULIE JACOBSON: "America." [CONFIRMATION]

SENATOR COOK: It's in revival right now, perhaps you're aware on Broadway. [CONFIRMATION]

JULIE JACOBSON: It is, it is. Probably "America." "Only in America." (Laughter) Difficult, difficult music. I played my bassoon in that so, it's difficult music. [CONFIRMATION]

SENATOR PRICE: Which is a double-reed instrument. It's not very easy and they're very expensive reed, I might add. [CONFIRMATION]

JULIE JACOBSON: Thank you. Thank you for saying that, yes. Like I said, when I had to brush the cobwebs out of it, you know, they're thinking, oh, she's all, see all this kind of stuff, it's like, yeah, but that was like several years ago people. [CONFIRMATION]

SENATOR KARPISEK: Senator Price. [CONFIRMATION]

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SENATOR PRICE: Thank you, Senator Karpisek. So do you wrap your own reeds?
[CONFIRMATION]

JULIE JACOBSON: Do I make my own reeds? No, I do not. I get them out of North Carolina, so. [CONFIRMATION]

SENATOR KARPISEK: Thank you, Senator Price. Any further questions? Again, thank you for coming in and being diverse on the Arts Council. [CONFIRMATION]

JULIE JACOBSON: Thank you for the opportunity. Appreciate it. [CONFIRMATION]

SENATOR KARPISEK: Thank you. Do we have any proponents for Ms. Jacobson? Seeing none, are there any opponents? Do we have anyone to testify neutral? Seeing none, that will end the hearing for Julie Jacobson on the Arts Council. Now we have Robert Nefsky for Arts Council. Welcome. [CONFIRMATION]

ROBERT NEFSKY: Good afternoon, Senators. My name is Robert Nefsky, R-o-b-e-r-t N-e-f-s-k-y, and I'm standing for confirmation to the Nebraska Arts Council.
[CONFIRMATION]

SENATOR KARPISEK: Can you tell us a little about your background, about yourself, or why you enjoy the Arts Council. [CONFIRMATION]

ROBERT NEFSKY: Well, I'm a lawyer here in Lincoln. I grew up in Lincoln and I've had an interest in the arts for quite a long time and I've had an interest both in the arts and the humanities for quite a long time and have had the opportunity to work statewide on a number of matters. And I think that the...in addition to the ascetic part and the enjoyment of art, I view this as an opportunity to benefit the state and make a difference really in two areas, hopefully make a difference. One is education and second is cultural tourism and the promoting communities throughout the state. [CONFIRMATION]

SENATOR KARPISEK: Very good. Do we have any questions for Mr. Nefsky? I'd just like to say I think it's very good to have an attorney also. I think the more diverse we can get, I've said before, I'm not a real artsy, especially not visual arts. I can kind of play a trumpet, not very well. But I think it's great as much as we can diversify and in my couple of years here on the committee, I've seen the kids from, especially from Crete schools, get to come up to Lincoln and go to the museums and things. And I think it's made a huge difference, I think, on their lives, places that they had never gone and probably would never go, so I would just like to promote more of that and the younger we can start them the better. I've said before, I'm probably too old to learn too much of anything, but it's very good to get them going young. Any other comments, questions? Senator Dierks. [CONFIRMATION]

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SENATOR DIERKS: Well, yes, I think so, Senator Karpisek. I noticed in your resume that you are a founding president of Nebagamon, Inc. Did I say it right?
[CONFIRMATION]

ROBERT NEFSKY: It's actually Nebagamon. [CONFIRMATION]

SENATOR DIERKS: Nebagamon. And it says that you are, that you do private camps for institutions racially, ethically, socioeconomically. What does that involved?
[CONFIRMATION]

ROBERT NEFSKY: Well, I went to a private boys camp in Wisconsin when I was growing up and the...a number of years ago the people who owned the camp decided that they wanted to diversify the camp and give a private camping experience, make it available to children who wouldn't ordinarily be able to do that because it's a private tuition-based organization that tends to be expensive. And so they asked a group of alum of the camp of which I was president...I was the first president to help raise money to set up an endowment to do that. And over a period of five years, we raised \$1 million among...mostly among our camp alums. And we used the income from that money is used to diversify Camp Nebagamon as well as other camps. That's really...that's generally the boys camp that we support. We also support a girls camp and the objective is to, is to diversify the camp racially, socioeconomically, religiously, and so as to give...and give an opportunity, for a private camping experience to kids who wouldn't have that opportunity. Now about 15 percent of Camp Nebagamon fits into the diverse category. It's similar to scholarships for private schools. So that's what that's about.
[CONFIRMATION]

SENATOR DIERKS: Is it a camp for country living experience, camping, and that sort of a thing. [CONFIRMATION]

ROBERT NEFSKY: It's a camp that teaches wilderness skills and recreational skills. It's, you know, swimming, and canoeing, and tennis and... [CONFIRMATION]

SENATOR DIERKS: And what age bracket children go there? [CONFIRMATION]

ROBERT NEFSKY: Generally 10 to 15. [CONFIRMATION]

SENATOR DIERKS: Okay. Well, that's wonderful. Thank you. [CONFIRMATION]

ROBERT NEFSKY: Yeah, it's...I enjoy doing that. [CONFIRMATION]

SENATOR DIERKS: Thank you very much. [CONFIRMATION]

ROBERT NEFSKY: Thank you. [CONFIRMATION]

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SENATOR KARPISEK: Senator Price. [CONFIRMATION]

SENATOR PRICE: Mr. Chairman, thank you. Mr. Nefsky, do you have a particular area or genre of art that you're particularly fond of, music, visual arts, dance?
[CONFIRMATION]

ROBERT NEFSKY: Well, personally, I like it all, but I was president of what used to be called the Nebraska Art Association and it's now called the Sheldon Art Association, which is the support group and partner of the University and the Sheldon Art Gallery. So I like the visual arts particularly. Sheldon is one of the great resources in the country for American art so I've kind of gotten into that. I enjoy that quite a bit. But I like, I like everything. [CONFIRMATION]

SENATOR PRICE: Okay. Great. Thank you. [CONFIRMATION]

SENATOR KARPISEK: Thank you, Senator Price. Any other questions? Seeing none, thank you, Mr. Nefsky. [CONFIRMATION]

ROBERT NEFSKY: Thank you. [CONFIRMATION]

SENATOR KARPISEK: Do we have any proponents for Robert Nefsky? Seeing none, are there any opponents? Seeing none, any neutral testimony? Seeing none, that will end the hearing for Robert Nefsky to the Arts Council. We will now move to the Electrical Board, the State Electrical Board, George Morrissey. Welcome.
[CONFIRMATION]

GEORGE MORRISSEY: Thank you. Good afternoon. George Morrissey, G-e-o-r-g-e M-o-r-r-i-s-s-e-y. [CONFIRMATION]

SENATOR KARPISEK: Can you tell us a little bit about yourself and why you'd like to be on the Electrical Board. [CONFIRMATION]

GEORGE MORRISSEY: Certainly. This is a reappointment to the State Electrical Board for the electrical engineering position. This would be my third term, I believe. I am an electrical engineer, have an electrical engineering company of mechanical and electrical engineers in Omaha. And prior to going to school for engineering, I was an electrician so I think I'm uniquely qualified for the state electrical division to be a board member representing both design and the installation components, so. I've been active in the board, was the president of the board for a two-year period and vice president prior to that. So I feel like I'm very engaged in the division, and with that I'd take any questions you have. [CONFIRMATION]

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SENATOR KARPISEK: Thank you. Any questions? Senator Price. [CONFIRMATION]

SENATOR PRICE: Senator Karpisek, Mr. Chairman, thank you sir. I don't want to go off too far down the, into a briar patch in any rabbit hole, but in other testimony we've heard this year and things of that nature, we talk about ground fault interrupts switches and things. One thing that I brought up also there seems to be a conflict, I don't know if conflict, that might be strong of a word between a fire marshal and the electrical code and the national board. And who has the authority to do things, particularly I'm thinking about in retirement homes. You know, they're told by the national standard that they're okay and then a fire marshal comes in and says, but I don't believe my fire codes it's okay to do it, and the fire marshal has the authority to say, you got a window, I'm going to shut you down and fining you and they have to really respond. Is there, in your opinion, off the cuff, I don't mean to catch you off guard here with a question, if I do, just don't worry about it, but is there a way that we can come to a crossroads on this to where we can say, this is how we're going to set a standard and how we're going to apply the findings type situations so we're not shooting in the dark. As our population ages and more and more facilities are brought about, I just don't want it to end up being a power struggle to our local fire marshal and a national and statewide code. Is there a bone you can throw me on this that we're going to have resolution? [CONFIRMATION]

SENATOR PRICE: Yeah, no, I can't, unfortunately. The problem that we have and this is, it's actually is a pretty big problem is that the codes even, you know, international codes and national codes, they're usually not always in zinc and there are more stringent requirements. And we face a lot of times where we have inspectors that are following a code and it differs from another code. And so, you know, it makes it difficult for inspectors, it makes it difficult for owners. And another problem that we have, and I'm sure maybe some of you are aware of this, the issue that we have with getting the new national electric code adopted. You've probably heard a little bit of testimony on that, I'm guessing. And, you know, that's a problem too. You know, if that doesn't get adopted then we have a less stringent standard on the national side, and all of these other codes are really referring to the most recent national standard. So that's a reason, one of the reasons that we want to keep our codes, our national electric code and all those things, that we want to be adopting the most current so that all the codes are in concert with each other as much as they can be, as much as they can. And...but, you know, as we currently sit now, why, we have the 2005 code and we're trying to adopt the 2008 and it sounds like there may be some problems with getting that through, getting that done this year. And so I think we're always going to face those challenges even when we are working on the most stringent codes, or the most current codes. But having the most current codes would be, is the best situation for everybody. [CONFIRMATION]

SENATOR PRICE: Would you foresee that in the not so distant future, i.e. next 18 months, a willingness on the part of the board to sit down with fire marshals, state fire

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marshal organization to where we could at least have something. Like you said, it helps all parties involved if we're working from the same sheet of music because it's a very expensive activity to have to go through once there's been a disagreement. And it's always the business owner on the short end of the stick. And I would like to see that there would be a willingness on all the board members to sit down with the fire marshals to work this out and help the entire state. Maybe we could lean forward in the foxhole...and other states have this problem, we could lean forward and show our way to resolve this ahead of time instead of after the fact. [CONFIRMATION]

GEORGE MORRISSEY: Yeah. I think the fire marshal is one key element but probably, you know, there's probably building officials too, that other building officials that might be good to collaborate with too, to get that done and I think it would be a worthwhile effort. [CONFIRMATION]

SENATOR PRICE: All right. Thank you very much. [CONFIRMATION]

GEORGE MORRISSEY: Yeah, you bet. [CONFIRMATION]

SENATOR KARPISSEK: Thank you, Senator Price. Any other questions? Seeing none, thank you. [CONFIRMATION]

GEORGE MORRISSEY: Thank you. [CONFIRMATION]

SENATOR KARPISSEK: Do we have any proponents for Mr. Morrissey? Maybe you guys should proponent for each other. (Laughter) Or opponents? Any neutral testimony? Seeing none, that will end the hearing on George Morrissey on the State Electrical Board. We'll now have Stanley Elsasser. Welcome. [CONFIRMATION]

STANLEY ELSASSER: Good afternoon, Senators. My name is Stanley Elsasser, S-t-a-n-l-e-y E-l-s-a-s-s-e-r. I'm here for the appointment for the State Electrical Board. [CONFIRMATION]

SENATOR KARPISSEK: Can you tell us a little bit about yourself, your qualifications, why you want to be on the State Board? [CONFIRMATION]

STANLEY ELSASSER: I've been a licensed journey electrician in the state of Nebraska for 30 years. I taught apprenticeship school for 18 years, the Omaha Joint Electrical Apprenticeship Training, both apprenticeship and journeyman classes. I found out about the State Electrical Board through a retiring member, Bill King. And I'd like to get on there, like to keep the...my family's got a heck of a history in the electrical field. My dad was in there for 42 years. I've got two older brothers, a younger brother, a son, two nephews, two nephews in law, in there now and I'd like to keep it as safe as it can be because I like to see all those guys go home at night. [CONFIRMATION]

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SENATOR KARPISEK: Thank you. Any questions? I think you hit the nail right on the head. None of us are real experts in electrical, or I'm sure not. So I'm glad the safety is the issue and we do often see some, I don't know, grudge matches on what's best and is money more important than the safety, so I appreciate that. [CONFIRMATION]

STANLEY ELSASSER: Well, I think safety is a heck of a lot more important than the money, I can guarantee you that. [CONFIRMATION]

SENATOR KARPISEK: I do too. Senator Price. [CONFIRMATION]

SENATOR PRICE: Senator Karpisek. Sir, I just also want to be on the record saying I'm real happy to see all those years of actual experience out there versus, you know, nothing against academic work but sir, if you will allow me a brief moment. I had a physics professor tell me about how theory and practice sometimes are a little divergent and it was with this field, as a matter of fact, because as you know current will follow the path of least resistance. Your body has a little resistance. Therefore, he deduced when he was going through the 220 line for the lab, that the power would go right through the jaws because since his resistance, he would be okay with a noninsulated pair of cutters. The only thing that saved him, of course, was his good safety thinking that had him standing on a chair on a table, on a lab table. So as he violently shook about, it broke contact and gravity took care of him. So I'm very happy to see someone who has been there, walked the...had to bend the pipes, and actually had to see firsthand for a living is going to be on a board to have practical, real time knowledge to that safety. I appreciate your stepping up to the plate. [CONFIRMATION]

STANLEY ELSASSER: Thank you. [CONFIRMATION]

SENATOR KARPISEK: Thank you, Senator Price. Senator Dierks. [CONFIRMATION]

SENATOR DIERKS: Thank you, Senator Karpisek. Stanley, I see by your application here, that you have checked areas of interest as agriculture and environment. [CONFIRMATION]

STANLEY ELSASSER: Well, I always wanted to be a veterinarian. But sometimes you've got to take your second choice. (Laughter) But you know, I grew up in the city so it's pretty tough to get into that avenue when you're a city kid. [CONFIRMATION]

SENATOR DIERKS: Well, I just suppose you have a big back yard and a lot of tomatoes, and that sort of stuff. [CONFIRMATION]

STANLEY ELSASSER: Oh, dad had a pretty good place and a big garden and he always...he was an animal lover too so he was always dragging something home for us

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to play with, you know. [CONFIRMATION]

SENATOR DIERKS: Well, you just keep your interest up in agriculture and environment because this is a big item in our state today and our nation, so. Thank you.
[CONFIRMATION]

SENATOR KARPISEK: Thank you, Senator Dierks. Any other questions? Seeing none, thank you. Do we have any proponents, Mr. Elsasser? Any opponents? Seeing none, anyone testifying neutral? Seeing none, that will end the hearing for Stanley Elsasser and end our hearings for today. [CONFIRMATION]

Chairperson

Committee Clerk