

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

Business and Labor Committee
April 18, 2017

[CONFIRMATION]

The Committee on Business and Labor met at 1:00 p.m. on Tuesday, April 18, 2017, in Room 2102 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a confirmation hearing on gubernatorial appointments. Senators present: Joni Albrecht, Chairperson; Sue Crawford, Vice Chairperson; Steve Halloran; Matt Hansen; and John Lowe. Senators absent: Ernie Chambers and Sara Howard.

SENATOR ALBRECHT: (Recorder malfunction)....starting with Senator Hansen.

SENATOR HANSEN: Matt Hansen, District 26 in northeast Lincoln.

SENATOR HALLORAN: Steve Halloran, District 33, Adams County and parts of Hall County.

SENATOR CRAWFORD: Good afternoon. Senator Sue Crawford, District 25, just eastern Sarpy County.

SENATOR ALBRECHT: She's our Vice Chair of the committee. Thank you.

SENATOR LOWE: John Lowe from southern Buffalo County, basically Kearney, Gibbon, and Shelton.

SENATOR ALBRECHT: And Beverly Neel is our county clerk...the clerk, and Meghan Chaffee is our counsel. And we have Robert Larsen, a UNL student studying political science. I'm Joni Albrecht and I'm up in Thurston, Dakota, and Wayne County. Anyway, we're going to flip the agenda because I'd like to first speak with Martin Kasl. He has been on the board since 2001, so he can enlighten us with what exactly they do. And then we'll have some questions for you if you don't mind and hopefully have you out of here before 1:30. We'll exec if we can as quick as we get done so we don't have to meet again. So if you'd like to take a chair there. Martin Kasl, it should be in your book. If you want to just tell us a little bit about yourself, what you do on the committee and then we'll open it up for questions. [CONFIRMATION]

MARTIN KASL: Sure. So... [CONFIRMATION]

SENATOR ALBRECHT: I'm sorry, just state your name and spell it for the record.
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MARTIN KASL: Okay. Everything is listed as Martin Kasl. I go by Marty, but that's okay. I'm originally from--K-a-s-l--originally from McCook but I've been down in Lincoln for...since I came to school and got my degree in mechanical engineering from the university here a few years back. And when I first came out of school, I worked for Nebraska Boiler Company which is now Cleaver-Brooks out on 70th and Cornhusker. I worked there for five years designing industrial water tube boilers and co-generation plants, so large boilers. We did work throughout the country and throughout the world. I've been gone from there for 20 years, but now I do...I work for a firm that does mechanical and electrical consulting engineering design, so a smaller scale heating, cooling types of projects. We still do quite a few boilers but they're on a much smaller scale, mostly schools, hospitals, those kinds of types of facilities. So, still deal with boilers and the codes a lot. I was invited in 2001 to be on this committee, been on ever since. And I'm also a licensed mechanical engineer in the state. So Senator Albrecht asked me to maybe give a little bit of background of what our groups does. We work...chief Chris Cantrell is the chief boiler inspector so we meet with them typically once a year, maybe twice if we have a special meeting for something. But we review the codes as they come from the national level to decide if it's best to, you know, recommend adopting the codes straight from the national or if we make amendments as required for our local needs. And then, obviously, chief Cantrell brings to, to you all to consider. A lot of the things we do each year are special cases where you maybe have a manufacturer that comes in and they are developing a new product and they would like us to talk about how their product is interpreted by the code and what special calculations they may have to go through to make sure it meets the code. A lot of, you know, day-to-day things are, you know, pretty cut and dried, but it's more special cases that we review. And then, you know, each year, again we...every year new codes come out and we look at them and so that's the majority of the time we spend. [CONFIRMATION]

SENATOR ALBRECHT: Okay. Do we have any questions? Senator Lowe. [CONFIRMATION]

SENATOR LOWE: How many people are on the board? [CONFIRMATION]

MARTIN KASL: I think there are seven or eight that are on the board, and we have a four-year term. [CONFIRMATION]

SENATOR ALBRECHT: In the short time that you've been on...I should ask, does anybody else have any questions? No. On the short time, actually 2001 has been a long time, can you just give us a highlight of two or three different things that have...that you've had an interest in or you thought was not something that you would be taking a look at, but you're glad that you had a board to decide? [CONFIRMATION]

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MARTIN KASL: Yes, a lot of the things we deal with seems are relation...or related to the inspections of the boilers, so we have some inspectors that are employed by the states, but then they also hire a lot of private inspectors to go out. There's hundreds and hundreds of boilers around the state that have to be inspected, some annually, some less often, but, and then there's others that don't require inspection that fall under exemptions and there's thousands of those. So each time, that's kind of one of the things that we talk about is, you know, are the exemptions appropriate, you know the ones that are not inspected because obviously we're in business and labor, but public safety is our main concern. So we want to make sure that we're not getting any boilers in pressure vessels which also fall under our code, out there that could be, you know, could explode or something like that and cause worst case, death, I guess. [CONFIRMATION]

SENATOR ALBRECHT: Have we ever had any cases of... [CONFIRMATION]

MARTIN KASL: Well, probably six or eight years ago there was a boiler that exploded. No one was injured, but it caused us to review that and just say, okay, was it something that was designed appropriately? And it was, it was something that had not been tested lately and it had some corrosion in. I believe that's what they ended up finding. [CONFIRMATION]

SENATOR ALBRECHT: And is there a time period that these ethanol plants or anyone with the major boilers, do they have to be inspected once a year? [CONFIRMATION]

MARTIN KASL: Yes, typically, once a year. And then they also have to do...they do...most of the time it's an exterior inspection, but then they also have to do interior inspections periodically as well to make sure that there's no corrosion on the inside that, you know, thins the materials, those kinds of things. [CONFIRMATION]

SENATOR ALBRECHT: Very good. Other questions? Senator Lowe. [CONFIRMATION]

SENATOR LOWE: The...with the exceptions, what kind of exceptions are there to those...where they may not be inspected? [CONFIRMATION]

MARTIN KASL: Yeah. So the term boiler is a little vague. I mean it's typically something that's, you know, containing fluids, put under pressure and then put under heat. So if you look at a typical water heater, you know, where does that stop from...when does it become a boiler and not a water heater. So there's actually a defining line that's written in the state code that basically 200,000 BTUs of heat input is kind of where that line is, so there's thousands of these boilers that are smaller than that and, obviously, a lot of them that are deemed to be water heaters. So that's...you know, a lot of those fall under the exemptions. There's also the old locomotive

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boilers. There's different kinds of...I can't think of the terminology, but like hobby type locomotives, those kinds of things that are exempted. So there's quite a few different types of exemptions in the code. [CONFIRMATION]

SENATOR ALBRECHT: Very good. [CONFIRMATION]

MARTIN KASL: But, you know, what also falls in there, we had a couple of years ago a tank manufacturer that was wanting to build in Nebraska and they wanted to use European design standards versus the ASME which is the American Society of Mechanical Engineering. That's the ones that we typically follow. They wanted to use their European standards because their headquarters was in Europe and they wanted to just...and we said no, we can't do that. You need to follow calculations. So sometimes it's just, you know, the hydrogen or a tank manufacturer of tubes. [CONFIRMATION]

SENATOR LOWE: I know our family used to have a boiler system in the basement. You know, it was about the size of this table, I think, it was just a huge thing. It was scary at night when you were down there and the flames were shooting out. I didn't know how long... [CONFIRMATION]

MARTIN KASL: Residential boilers are exempted, even those old boilers might be more apt to...and have problems and others because of their age... [CONFIRMATION]

SENATOR LOWE: And we replaced it to something the size of this book. [CONFIRMATION]

MARTIN KASL: So it comes down to how many can be inspected in a year. [CONFIRMATION]

SENATOR ALBRECHT: Senator Halloran. [CONFIRMATION]

SENATOR HALLORAN: On a lighter note, then I have more serious questions. On the lighter note, are locomotives ever going to come back? Probably not. [CONFIRMATION]

MARTIN KASL: Good question. [CONFIRMATION]

SENATOR HALLORAN: Do the state codes...is there much diversions from federal codes? [CONFIRMATION]

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MARTIN KASL: No, typically, the national boiler inspection code is the one that we really examine each time and for the most part...and our chief inspector here serves on national codes, so he's very up to speed on those things and he will come and say, okay, here's the changes, because obviously, we can't spend all the time going through the thousands and thousands of pages. So he brings...here's kind of the highlights and the things that we should discuss. But typically we try to adopt the national boiler inspection code as it comes through.

[CONFIRMATION]

SENATOR ALBRECHT: And we will be changing those codes in a bill this year that changed the national level that you asked us to change here in the state. Very good. Any other questions? Seeing none, I do have...you can go ahead and take a seat if you'd like. And I do have to ask for proponents. Any proponents? Seeing none, any opponents? Seeing none, anyone in a neutral capacity? Seeing none, we'll move on now to Mr. Aaron Jazyuka. Please state your name and spell it for the record. [CONFIRMATION]

AARON JAZYUKA: Aaron Jazyuka. Aaron, A-a-r-o-n, last name, J-a-z-y-n-k-a.

[CONFIRMATION]

SENATOR ALBRECHT: Just give a little background for the group here and...

[CONFIRMATION]

AARON JAZYUKA: Native Nebraskan, born and raised in south Omaha. Creighton Prep for High School. Got a BA in philosophy from John Carroll University in Cleveland, Ohio. Messed with that for a little while, thought about being a teacher, ended up joining the steamfitters which is more germane to this position. Joined that apprenticeship nine years ago, 2008. During my five-year apprenticeship is where I got my experience with installation, servicing boilers, pressure vessels. Completion of my apprenticeship, I assumed the role that I'm in right now for Master Mechanical Service in Papillion, which is project manager and lead estimator. And in that capacity, I still have some tool work that I'll do some service with boilers, but typically I work now with engineers like Martin, our techs, owners, designers, doing some design-build. I guess it transitioned from working with some of the older technologies to now I see older technologies to a limited degree, but I'm more so, involved with the newer boilers and with the change in codes, things that happen along those lines. Personally, married with two children. I volunteer in my neighborhood association. Member of Holy Cross booster club; baseball director for that organization and an assistant administrator for Little Jay's Flag Football through Creighton Prep. And personally, just very excited, a little bit nervous as you can tell, to my first proceeding. Excited and honored to have a chance to do something like this in my career. I lack the experience, obviously that Martin and other members of the board, but I think at the same

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time I can bring maybe a fresh eye or the very least be the next person to serve a longer term and gain knowledge this way, I guess. [CONFIRMATION]

SENATOR ALBRECHT: Very good. Thank you. Any questions? Well, I'll tell you what, again I have to ask any proponents? Seeing none, any opponents? No one in the neutral? So we'll close this public hearing. If you guys would like, since we no longer have any questions for you, you can exit the room and then we are going to go into Exec Session and talk about you very nicely. And then we'll let you know. Meghan will probably give you a call and we'll have to take it before the legislative body and that sort of thing, so. All right. Thank you for coming. Fifteen minutes, very good. So we'll close this meeting and we will want to Exec. [CONFIRMATION]