

Transcript Prepared by Clerk of the Legislature Transcribers Office
Government, Military and Veterans Affairs Committee January 23, 2026
Rough Draft

SANDERS: Good afternoon, and welcome to the Government, Military and Veterans Affairs Committee. I am Senator Rita Sanders from Bellevue, representing District 45. And I serve as your chair here. The purpose of the co-- public hearing is an information gathering endeavor in which senators on the committees are seeking information about proposed legislation that they do not know or have not thought about. It allows individuals representing themselves or a group to share their unique perspective on a proposed measure. It also serves as a record about the proposal for future historical and legal purposes. A key component of the process is the ability for senators to engage directly with te-- testifiers, to ask questions, and elicit any clarification or information. The committee will take up the bills in the order posted. If you are planning to testify today, please fill out one of the green testifier sheets for each bill that you are testifying on. These are on the table in the back of the room. Be sure to print clearly and fill it out completely. When it is your turn to come forward to testify, give the testifier sheet to the page or to the committee clerk. If you do not wish to testify but would like to indicate your position on a bill, there are also yellow sign-in sheets on the table in the back of the room. When you come up to testify, please speak clearly into the microphone. Tell us your name and spell your first and last name to ensure we ha-- we get an accurate record. We will begin each hearing today with the introducer's opening statements, followed by proponents or opponents, and finally anyone speaking in the neutral capacity. We will finish with a closing statement by the intro-- introducer if they wish to give one. We will be using a three-minute light system for all testifiers. When you begin your testimony, the light on the table will be green. When the yellow light comes on, you will have one minute remaining. And the red light indicates your time has ended. Questions from the committee may follow. Also, committee members may come up and-- come and go during the hearing. This has nothing to do with the importance of the bills being heard, but it's just part of the process, as senators have bills to introduce in other committees. A few final items to facilitate today's hearing. If you have any handouts or copies of your testimony, please bring up at least 12 copies and give them to the page. If you do not have enough copies, the page will make sufficient copies for you. Please note that tumb-- thumb drives, CDs, DVDs, oversized documents, books, lists of signatures, and similar will not be accepted as exhibits for the record. Please silence or turn off your phone. You may see committee members using their electronic devices to access more information. Verbal outbursts or applause are not permitted in the hearing room.

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Such behavior may cause-- may be cause for you to be asked to leave the hearing room. Finally, committee procedures for all committees state that written position comments on a bill be included in the, in the record that must be submitted by 8 a.m. the day of the hearing. The only acceptable method of submission is via the Legislature's website at legislature.nebraska.gov [SIC]. Written position letters will be included in the official hearing record, but only those testifying in person before the committee will be included on the committee statement. I will now have the committee members with us today introduce, introduce themselves, starting to my right.

HUNT: Hi, everybody. I'm Megan Hunt, and I represent District 8 in the northern part of midtown Omaha.

GUERECA: Good afternoon. Dunixi Guereca, downtown south Omaha, LD 7.

J. CAVANAUGH: Good afternoon. John Cavanaugh, District 9: midtown Omaha.

ANDERSEN: Good afternoon. Senator Bob Andersen. Res-- I represent District 49, the best district in Omaha.

LONOWSKI: Hello. Dan Lonowski, District 33, which is Adams County, Kearney County, and rural Phelps County.

WORDEKEMPER: Welcome. Senator Dave Wordekemper: Dodge County, western Douglas County.

SANDERS: We have Senator Bob Andersen, who is the vice chair of the committee. We have two pages for the committee today, and they are Luke Perry from Gretna-- we have three. OK-- who is a freshman at UNO majoring in history and political science. And we have Grace Harper from Loveland, Colorado, who is a junior at UNL and majoring in political science. And a third-- do you have a note here? We have a third one. No. That says Senator Guereca is going to be in HHS. That's OK. Go ahead and give us your name and a little background. And I'll, I'll also repeat it for the microphone for the record.

JOEL HENSON: My name is Joel Henson. I'm from Lincoln. I'm a junior at UNL and-- political science and advertising and public relations.

SANDERS: Thank you. And that was Joel Henson, and he's from UNL and studying political science and other things. Thank you very much. And we also have to my right committee attorney Dick Clark, and Julie Condon is our clerk for today. And with that, we'll go ahead and

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start our hearing for the appointment of Douglas-- say your last name.

DOUGLAS HOHBEIN: Hohbein.

SANDERS: Hohbein, State Fire Marshal. Welcome.

DOUGLAS HOHBEIN: Good afternoon. It was quite a walk over here.

SANDERS: It didn't take much, did it, to get--

DOUGLAS HOHBEIN: I usually don't like wearing this heavy thing, but, boy, it paid off this, this afternoon, so.

SANDERS: Well, take your time.

DOUGLAS HOHBEIN: OK.

SANDERS: Yeah.

DOUGLAS HOHBEIN: I was going to ask if anybody had space heaters going under the desk, but I-- you know, I, I--

SANDERS: It was suggested, but.

DOUGLAS HOHBEIN: --I don't want to know.

SANDERS: Again, welcome.

DOUGLAS HOHBEIN: All right. Thank you. Well, good afternoon, Chairperson Sanders, members of the Government, Military and Veterans Affairs Committee. My name is Douglas Hohbein, D-o-u-g-l-a-s H-o-h-b-e-i-n. I appreciate the opportunity to appear before the committee this afternoon to provide some background information about the agency and myself. I want to start by thanking Governor Pullen for appointing me to serve as the State Fire Marshal. The Fire Marshal Agency has a huge range of duties that directly impact both the commercial community as well as the health and well-being of every citizen in the state. The agency has 75 full-time po-- employee positions as well as approximately 75 part-time employees which are utilized solely in the Training Division. The agency has seven divisions, each having unique responsibilities, those include the Investigations Division, the Inspection Division, the Training Division, the Plans Division, the Mechanical Safety Division, the Administration Division, and the Fuels Division, which consists of

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two major units consisting of pipeline safety and underground fuel tank inspection personnel. Regarding me personally, I come before you today with more than 40 years of dedicated commitment to the Nebraska Fire Service and Public Safety. I started my career with the agency when I joined as an inspector located in Holdrege, Nebraska in 1985. During my time with that division, I conducted fire code inspections, provided consultations to prospective new businesses, and investigated fires. I transferred to the Plans Division of the agency in 1988 and returned to my hometown of Lincoln to work out of our main office. I gained extensive knowledge of the various codes the agency uses during the review of new construction and remodeling projects. In 1994, I became the chief of the Plans Division, and I stayed in that role until 2018, when I accepted a promotion to the role of the Assistant State Fire Marshal. In that role, my mol-- involvement with the other divisions expanded greatly, with an emphasis on our Health Care Division, which conducts inspections in facilities, including assisted living, nursing homes, ambulatory surgical centers, and hospitals. I've served as the Interim State Fire Marshal on three separate occasions and now serve as the State Fire Marshal. I'm looking forward to the opportunity to direct the agency as we move forward with new ideas, embracing Governor Patten's directive of the systems approach to operations, and facing the challenges and opportunities of an ever-changing environment. As the agency director, I want to serve the citizens of Nebraska by helping ensure the agency stays focused on customer service, finding creative solutions while maintaining high standards of public safety. I wi-- will rely on the knowledge and expertise of my staff to help direct and guide our efforts to ensure the State Fire Marshal Agency remains a professional and public-serving entity. I look forward to the opportunity to serve as the State Fire Marshal pending your confirmation. Thank you for your time and consideration. I will be happy to answer any questions you might have.

SANDERS: Thank you very much. We'll-- we do have some questions.

DOUGLAS HOHBEIN: OK.

SANDERS: So Senator Wor-- Wordekemper.

WORDEKEMPER: Thank you, Chair Sanders. Not necessarily a question-- maybe at the end-- but congratulations on your 40 years here. I know I've worked with you in the past, and I think you do an outstanding job. Congratulations on your appointment. I guess for a question, how does the Assistant Fire Marshal's job get-- what do I say-- replaced?

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Is that your appointment or does that go through the Gover-- like, to replace the assistant?

DOUGLAS HOHBEIN: First, thank you for the kind words, but that is something that-- I worked directly to fill that position myself, so.

WORDEKEMPER: OK.

DOUGLAS HOHBEIN: Yeah. It's a statutory position, not appointed. Hired through the agency.

WORDEKEMPER: Is that open still-- probably depending on this appointment confirmation.

DOUGLAS HOHBEIN: I do plan to fill that position very shortly.

WORDEKEMPER: OK. Thank you.

DOUGLAS HOHBEIN: Yes.

SANDERS: Are there any other questions? Senator Andersen.

ANDERSEN: Thank you, Chairman. And thanks for being here, Chief. In your comments, [INAUDIBLE] staying focused on customer service and finding creative solutions. What-- do you have some ideas on, on things that you want to, to implement?

DOUGLAS HOHBEIN: Yeah. Our agency right now, we're, we're running very lean. We've had some, some cuts and, and things like that. So we've kind of had some difficulties in having fire prevention activities. It, it, it is really the first thing as part of our mission in the agency, is to, to conduct fire prevention, you know, helping with children and, and-- stop, drop, and roll and things that. So I want to kind of bring a focus back to that. And that's some of the ideas to int-- to use the people at our discretion or at our availability on our staff to basically have them do more fire prevention work out in the field. So limiting fire deaths and, and losses by fire is really what we're all about. And if we can do that starting with fire prevention reaching maybe younger people or, or even the elderly, you know, anybody in between, and talk to them and, and, and use the knowledge that we have and partake and, and give that to some of those people, I think that's something that's important for me. And, and it's, it's something we haven't-- we had someone dedicated to that position in years past, and that's kind of gone away with, with some of the, the, the, the times that we've had

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with budgets-- budget issues, so I, I want to try to focus on that and utilize larger parts of our agency to do that.

ANDERSEN: Great. I-- just a follow-up.

DOUGLAS HOHBEIN: Yes.

ANDERSEN: Are you familiar with the proposal for the first responder training center in Sarpy County?

DOUGLAS HOHBEIN: Yeah, I'm familiar with that. Yes.

ANDERSEN: OK.

DOUGLAS HOHBEIN: Mm-hmm. Yeah.

ANDERSEN: And what are your thoughts on it?

DOUGLAS HOHBEIN: I like that idea. That came to me this past summer. And I-- I've talked to our Training Division. Basically, what it is, is to allow that Training Division-- I think it's Metro Community College--

ANDERSEN: Yeah.

DOUGLAS HOHBEIN: --to do some training that typically was done by our agency, to give them our authority to do that and, and to have them provide the training themselves. I think that's a great idea. It, it kind of shares that wealth and allows others to get involved in, in training as well-- with, with some oversight from us, of course, to, to maintain the integrity of the whole program. But it's, it's a great idea.

ANDERSEN: Thank you.

DOUGLAS HOHBEIN: Yeah.

SANDERS: Are there any other ques-- Senator Cavanaugh.

J. CAVANAUGH: Thank you, Chair. Thanks for being here, Chief. So-- I, I, I might be wrong, I remembered-- Senator Wood-- Woodkemper [SIC] [INAUDIBLE] Woodie-- OK-- but-- pass a bill last year-- or, or this last year that would increase the fees you guys could charge.

DOUGLAS HOHBEIN: Yes.

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J. CAVANAUGH: We, we passed that bill?

DOUGLAS HOHBEIN: We did, yes.

J. CAVANAUGH: And how is that-- implementation of that going?

DOUGLAS HOHBEIN: We have implemented that, and it's underway for, for doing that for us. Kind of an offset from general funds to, to more cash and, and funding. So yeah, it's, it's underway, and we are collecting those fees. Yeah.

J. CAVANAUGH: And you just said you're running a little lean, is that going to help you not have to run as lean and be able to accomplish more--

DOUGLAS HOHBEIN: Yeah, I think we'll-- it will help us tremendously, yes, to, to, to do what we need to do and carry out our, our requirements statutorily, so. Yeah.

J. CAVANAUGH: And you mentioned-- what was it-- seven divisions, and then you kind of mentioned this other Health Care Division, which I don't think was in the first division. Is it a subdivision?

DOUGLAS HOHBEIN: It is. It's part of the Inspections Division. Kind of a subcategory. We, we work through DHHS to do federal surveys for Medicare/Medicaid certification.

J. CAVANAUGH: For fire safety and--

DOUGLAS HOHBEIN: Correct.

J. CAVANAUGH: Make sure--

DOUGLAS HOHBEIN: Yes.

J. CAVANAUGH: OK.

DOUGLAS HOHBEIN: Yeah.

J. CAVANAUGH: And you said-- I noticed you had been interim-- act-- State Fire Marshal three times.

DOUGLAS HOHBEIN: Yeah. Yes.

J. CAVANAUGH: So-- I mean, always a bridesmaid never a bride or [INAUDIBLE] bride.

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DOUGLAS HOHBEIN: Yeah. We've, we've had several fire marshal-- some, some turnover in that position, and I was available as the assistant [INAUDIBLE] that interim. And they finally convinced me that, hey, it's-- maybe it's time to, to make that step, so, yes.

J. CAVANAUGH: Oh, I-- so you were, you were shy about taking the job?

DOUGLAS HOHBEIN: You know, it's something I've, I've always wanted to do, but then, then it's, you know, sit in front of groups like this is not always the, the greatest thing. But I-- I've learned to enjoy that and, and embrace it. So yes, I'm, I'm excited for the position and the opportunity.

J. CAVANAUGH: Congratulations. Thanks for being here.

DOUGLAS HOHBEIN: Thank you. Thank you very much.

SANDERS: There any other questions? See none. I might just have a comment. Thank you for stepping up and-- for the appointment. And you've been around the industry quite a while.

DOUGLAS HOHBEIN: Yeah.

SANDERS: And I know the baby boomers want to leave the market, but we hang right in there.

DOUGLAS HOHBEIN: Yeah. I'm on the very end of that baby boomer generation, so I'm-- plan to stay. Yeah.

SANDERS: So I don't have any questions, but I want to thank you for your time.

DOUGLAS HOHBEIN: All right. Thank you for your time.

SANDERS: We'll get on the executive session as soon as we can.

DOUGLAS HOHBEIN: Very good. Thank you very much.

SANDERS: Definitely. Thank you very much. This closes the hearing-- oh, nope. Oh. Yeah. Any proponents on the appointment of Douglas Hohbein? Are there any opponents? Any in the neutral? See none. On our position comments, we did have 1 proponent, 0 opponent, and 0 in the neutral. Thank you. This closes the hearing on the appointment for Douglas Hohbein. Thank you very much. And we'll get ready for the

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appointment on J. L. Spray, Nebraska Accountability and Disclosure. Welcome on this cold afternoon.

J. L. SPRAY: Good afternoon, Madam Chairman, senators.

SANDERS: Floor is yours, sir.

J. L. SPRAY: I appreciate that. I-- I've been involved in some level of public service for a number of years. I was on the Accountability and Disclosure Commission in the '90s, maybe starting in the early '80s. I went off to work with a ballot question committee but was back on again after that for a second term. I was pleased to be appointed to the Commission of Industrial Relations, which was subject to a confirmation by the Business and Labor Committee. Served seven years on that commission, enjoyed the work very much. Also did a stint on the Equal Opportunity Commission. In my professional life, I was appointed to the Advisory Committee, which advises the Supreme Court on opinions as to ethics and ad-- advises the bar on opinions on ethics. And I think overall, if I would comment generally about my public service, it's really been dedicated to ethics in good government in a lot of ways. And so I feel very strongly about the act. And as you know, the act manages lobbyists, it manages campaign finance, and it also has a good government section, which is very important. And so-- I really enjoy the commission very much. It's good work. And I very much am interested in serving.

SANDERS: We appreciate that very much. Part of the process. We'll see if there's any questions from the committee. All right-- Senator Cavanaugh.

J. CAVANAUGH: Thank you, Chair. Thanks for being here, Mr. Spray. I appreciate your willingness to serve in so many ways. I know the commission has a partisan breakdown to it. I-- I'll go on a limb, but I'll let you answer. Are you appointed to a specific party position?

J. L. SPRAY: One D Republican-- one CD 1 Republican.

J. CAVANAUGH: One D being the First--

J. L. SPRAY: Congressional District.

J. CAVANAUGH: --Congressional District. And your law firm is Mattson Ricketts, and you've been there since '86, according to your, your resume.

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J. L. SPRAY: I was a pup as a law clerk there, so, yeah.

J. CAVANAUGH: Right. You, you were there in, in grade school, I assume.

J. L. SPRAY: Yeah, pretty much.

J. CAVANAUGH: But subject matter includes election litigation and things like that. And-- been there for all this time, served on the commission from 2004 to 2012. Can you just, I guess, walk us through just how you make sure that you're, you know, not getting any kind of crossover?

J. L. SPRAY: Well, I, I wouldn't rep-- represent any state candidates for any office as their lawyer. I-- actually-- this is kind of the pleasurable part of the gig-- I don't give donations. I think I could, but I don't. Take full advantage of that. But, you know, in the past-- like, for instance, I had the last two election contests in the Legislature, including the Byars-Korslund contest in the early '90s, which was a, a pretty long, drawn-out thing if you're familiar with the history of that at all. Contests, recounts. I probably would steer clear of a lot of those things even though they really are involved in, you know, communicating with voters. It's mostly with judges. But I have a very diverse practice that involves all kinds of other things. And frankly, I-- I'm a busy lawyer. I, I mean, if, if you're no-- familiar with the law game right now in Omaha and Lincoln or e-- even out west, everybody's busy. There's just a lot of work going on. So I don't need to take those cases. And there are other good lawyers around who can.

J. CAVANAUGH: I'm sure. But in terms of your firm if somebody else does take those cases, how do you deal with-- close your door when they're coming around asking about them?

J. L. SPRAY: I, I don't think anybody else in my firm would take it.

J. CAVANAUGH: OK.

J. L. SPRAY: And I probably would tell them not to.

J. CAVANAUGH: All right.

J. L. SPRAY: Yeah. I, I-- I'm not a big Chinese wall fan. And-- so I-- my sense is that, that we just wouldn't take it at all.

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J. CAVANAUGH: OK. And then just one other question. Are you going to continue serving on the CIR, the Commission-- con--

J. L. SPRAY: No. I've been off the CIR for, I'm going to say five years, maybe, maybe a little more.

J. CAVANAUGH: Your resume says to present, so I [INAUDIBLE].

J. L. SPRAY: I'm guessing I ripped and read an old resume and that's what it said, so. I, I haven't been on the CIR for about five years.

J. CAVANAUGH: OK. Thank you.

J. L. SPRAY: I'm, I'm a one-at-a-time kind of guy too, so I wouldn't do that.

J. CAVANAUGH: Well, I've got one more question. Did you bring Jack here just because you know how much we like him?

J. L. SPRAY: I, I, I, I think Jack was certain that he could help me somehow. And I was pretty certain he couldn't. And I can't keep him out. So that's, that's just exactly how that happened. But thank you for the compliment.

J. CAVANAUGH: OK. Thanks.

SANDERS: Are there any other questions? Senator Hunt.

HUNT: Thank you, Chairwoman Sanders. Thanks for being here. And thank you for your long record of public service. Are you still a member of the Republican National Committee?

J. L. SPRAY: No.

HUNT: OK.

J. L. SPRAY: I, I was a member of the committee in 2013 when I became chairman of the state party. In 2015, I became national committee man and served until July of 2024. So the national convention last-- two summers ago was my last convention.

HUNT: OK.

J. L. SPRAY: I mean, I go to a lot of conventions. I might go to a convention again, but.

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HUNT: Yeah. Sure, sure.

J. L. SPRAY: I-- I'm not a party officer in any way.

HUNT: OK. Thank you.

SANDERS: Any other questions? See none. That-- you got off pretty easy.

J. L. SPRAY: I thought so. Thank--

SANDERS: Want to thank you for your appointment. You have been around this a long time. Almost 40 years.

J. L. SPRAY: Thank you. When I was a, a senior in college-- I'll just add one more little tidbit-- when I was a senior in college, they had an internship program here at the Capitol, and I got farmed out to Senator John DeCamp to work in his office. It was a full-time job. I got paid. I've got credits at college. It was the best gig I've ever had in my life. And watching Senator DeCamp work-- trust me, I learned a lot, a lot every day, so.

SANDERS: Yeah. You drank the Kool-Aid. Can't, can't get away from it now.

J. L. SPRAY: Yeah. Well, a little bit. A little bit. But anyway, thank you, Senator.

SANDERS: Yeah. Thank you very much. And we'll exec on the appointment--

J. L. SPRAY: OK. Very good.

SANDERS: --soon. Thank you very mu-- oh, wait. I, I do need to check again. Proponents on the appointment process of J. L. Spray to Nebraska Accountability and Disclosure? Any opponents? Any in the neutral? All right. I don't believe we had any online comments in the neutral or opposing or against or co-- or neutral. So with that, we will close the hearing on the appointment for J. L. Spray to the Nebraska Accountability and Disclosure. And this ends our hearing for today. Everyone stay warm, and have a good weekend.