

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

Government, Military and Veterans Affairs Committee
May 17, 2011

[CONFIRMATION]

The Committee on Government, Military and Veterans Affairs met at 9:30 a.m. on Tuesday, May 17, 2011, in Room 1507 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on Secretary of State appointment of Timothy M. Schulz to Nebraska Accountability and Disclosure Commission. Senators present: Bill Avery, Chairperson; Scott Price, Vice Chairperson; Charlie Janssen; Russ Karpisek; Paul Schumacher; and Kate Sullivan. Senators absent: Lydia Brasch; Rich Pahls.

SENATOR AVERY: All right I am going to go ahead and begin. Welcome to the Government, Military, and Veterans Affairs Committee. We're convening today for the purpose of considering the nomination of Timothy Schulz to the Accountability and Disclosure Commission. This will be a new appointment. Before I start, let me introduce the members who are here. Senator Charlie Janssen from Fremont is sitting to the far right there. Next to him is the Vice Chair of the Committee, Senator Scott Price from Bellevue. Seated next to me on my right is Christy Abraham who is the committee counsel. And way over here is Senator Paul Schumacher from Columbus. The clerk is Sherry Shaffer. If you have any need for a page, we do have one, Katie Miller from Omaha. Anything that you might need, let her know and she will help you with it. I'm going to forego the rules of a proceedings as to a...as they apply to a public hearing on legislation because this is simply a confirmation hearing. I'm pleased to say though that Senator Kate Sullivan from Cedar Rapids has now joined us. So we will invite Mr. Schulz to the table. And if you will state your name, spell it, and tell us a little bit about yourself. [CONFIRMATION]

TIMOTHY SCHULZ: Tim Schulz, S-c-h-u-l-z. Do you want the short or long version? (Laughter) [CONFIRMATION]

SENATOR AVERY: We have your resume here, so you can give us the short version. [CONFIRMATION]

TIMOTHY SCHULZ: (Exhibit 1) How about this, born and raised in Beemer, Nebraska; went to Nebraska...graduated from there, there's no high school there anymore unfortunately. Went to Nebraska Wesleyan University; graduated from there in 1991. Went on to law school at University of Nebraska-Lincoln; graduated from there in 1996. And immediately thereafter joined the law firm of Yost, Schafersman in Fremont, and have been in general practice law from there since 1996 and became a partner there in 2000 and have been there ever since. My wife, Lisa, works in Lincoln; she is a physical therapist with Lincoln Public School system, part time. And we have three sons ages 12, 10, and 6. And we enjoy living in Fremont. That's a little bit about myself. [CONFIRMATION]

SENATOR AVERY: It makes Senator Janssen very happy. Well, let me start by asking

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you what is it that you think you bring to the commission that would improve it or facilitate its fulfillment of its functions? [CONFIRMATION]

TIMOTHY SCHULZ: Well I think I would bring an analytical feature to it being...having a legal background which I think would be common among some of the commissioners as I understand. So an analytical background and I think I'm also very open minded. I think I can be very objective. I recently applied for a judgeship in the Sixth Judicial District and I think some of the same characteristics that would serve a judge well would serve this position as well too, as being objective and thoughtful, good demeanor. [CONFIRMATION]

SENATOR AVERY: We just passed a bill to take away the per diem. Does that bother you? (Laughter) [CONFIRMATION]

TIMOTHY SCHULZ: Senator Janssen advised me of that. [CONFIRMATION]

SENATOR AVERY: One of the most important and controversial aspects of the work of the A&D Commission is the administration of the Campaign Finance Limitation Act. We had a vigorous debate about that just a few days ago in the Legislature. There was an attempt to repeal it. Where do you stand on repeal of the CFLA? [CONFIRMATION]

TIMOTHY SCHULZ: Well I can't pronounce to be an expert, because I'm not. I'd have to study the issue to really understand it. So I don't think I can confidently answer your question, so I'm going to make something up. (Laughter) I'd have to study that before I could really confidently answer that for you, I'm sorry. [CONFIRMATION]

SENATOR AVERY: You will get a chance to, I'm sure. Senator Janssen. [CONFIRMATION]

SENATOR JANSSEN: Thank you, Chairman Avery. That's kind of a loaded question so I thought we could have prepped you for that one, but we did have quite a bit of a back and forth on the CFLA and the best thing you did is not say get rid of it, because I know Chairman Avery put that thing together. [CONFIRMATION]

TIMOTHY SCHULZ: So I don't want to make an opinion on it, because I don't know. [CONFIRMATION]

SENATOR JANSSEN: That's just interesting. I just wanted to share a personal note. When I found out, and I do know Tim very well in Fremont; but when he told me he got appointed to this commission, he said, hey, I'll be down there. So I just got your resume. I said it doesn't pay much, but it's a good committee to be on and I deal with that. And he said, that's fine as long as I get my \$50. (Laughter) Well, well, about that, we'll talk. So I really have no question, I (inaudible). [CONFIRMATION]

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TIMOTHY SCHULZ: I can blame it on Mr. Daley. (Laughter) [CONFIRMATION]

SENATOR AVERY: You can blame me, I carried the bill. [CONFIRMATION]

SENATOR JANSSEN: At the time we talked though, it was still in the state statutes, so I think it was appropriate. [CONFIRMATION]

SENATOR AVERY: That's part of our budget reduction process. It saves about \$4,000. Senator Sullivan. [CONFIRMATION]

SENATOR SULLIVAN: Thank you, Senator Avery. Thank you, Mr. Schulz. This would be a new appointment for you, right? [CONFIRMATION]

TIMOTHY SCHULZ: That's my understanding, beginning in July. [CONFIRMATION]

SENATOR SULLIVAN: Okay. What made you...what drew you to this position in the first place? Why were you interested? [CONFIRMATION]

TIMOTHY SCHULZ: Well, it is actually Secretary Gale who kind of approached me about it and I'd had some contact with him when I applied for the judgeship position in Fremont and had some communication with Secretary Gale and he knew I was interested in some public service positions and so he thought of me when this position came open and he contacted me. I thought it would be interesting to get involved in some form of state level government. [CONFIRMATION]

SENATOR SULLIVAN: Okay. Very good. Thank you. [CONFIRMATION]

SENATOR AVERY: I'm pleased to announce that we've been joined by Senator Russ Karpisek from Wilbur. [CONFIRMATION]

SENATOR KARPISEK: Thank you. [CONFIRMATION]

SENATOR AVERY: We're almost complete now. Any other questions from the committee? I don't see any. So thank you very much for coming and for testifying. [CONFIRMATION]

TIMOTHY SCHULZ: You're welcome. [CONFIRMATION]

SENATOR AVERY: Anyone wish to speak? All right, that ends the hearing. I know you came down just for this, I presume you did and it doesn't last long, especially when we have a big vote coming up on upstairs, so we're going to be running up there in a minute. So thank you very much for your...for coming down. [CONFIRMATION]

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TIMOTHY SCHULZ: Thank you for your time. [CONFIRMATION]

SENATOR AVERY: And for being willing to serve. This is an important group.
[CONFIRMATION]

TIMOTHY SCHULZ: I agree with that. Thank you. [CONFIRMATION]

SENATOR AVERY: Yeah. It very much is. Thank you. [CONFIRMATION]