

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

Transportation and Telecommunications Committee  
November 03, 2011

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[CONFIRMATION]

The Committee on Transportation and Telecommunications met at 1:30 p.m. on Thursday, November 3, 2011, in Room 1113 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting an appointment hearing for James Kindig, Doug Leafgreen, Greg Wolford, Rodney Vandenberg, and David Copple to the State Highway Commission; and Donald Hansen to the Nebraska Motor Vehicle Industry Licensing Board. Senators present: Deb Fischer, Chairperson; Galen Hadley, Vice Chairperson; Annette Dubas; and Scott Price. Senators absent: Kathy Campbell; Charlie Janssen; Scott Lautenbaugh; LeRoy Loudon. [CONFIRMATION]

SENATOR FISCHER: (Recorder malfunction)...Transportation and Telecommunications Committee. My name is Deb Fischer; I'm Chair of the committee. I'm the state senator representing the 43rd District from Valentine, Nebraska. At this time I would like to introduce to you the committee members who are present. We have Senator Scott Price who is from Bellevue. The Vice Chair of the committee, Senator Galen Hadley, from Kearney. On my immediate right is our committee counsel, Dusty Vaughan. On my immediate left is our new committee clerk, Jonna Perlinger. And our previous committee clerk, Laurie Vollertsen, is also assisting today. And on my far left is Senator Annette Dubas who is from Fullerton, Nebraska. The purpose of this hearing today, it's a confirmation hearing. We have confirmations for the State Highway Commission and also the Nebraska Motor Vehicle Industry Licensing Board. So at this time I will open the hearing for the State Highway Commission and we have James Kindig who is here from Kenesaw, Nebraska. If you would like to come forward, please. And we certainly appreciate you driving in today to be here for the hearing. This is a new appointment, so it's important for the committee to be able to see you and learn a little bit about you. So if you just want to tell us a little bit about you and...about yourself and why you would like to be on the Highway Commission. [CONFIRMATION]

JAMES KINDIG: Okay. My name is James Kindig. I've lived in District 4 all my life; grew up on a farm just west of Hastings, Highway 6. Went to Hastings High; graduated from Hastings High and attended Hastings College. Started for a trucking company back in the late '60s, the early '60s, I really should say, right there in Hastings, Nebraska, and really got involved in transportation at that time. Opened up my own distribution produce house in Grand Island, Nebraska, and operated that for about 15 years. And then in 1986 I sold out my business and went to work for a company, a distribution company in Kearney, Nebraska, Cash-Wa Distributing. Now I've been there now for about 25 years. And I've done a little bit of everything from drive trucks to...in the transportation of dispatching trucks, into the licensing of trucks, and so forth. I've always loved the logistics side of our business and so forth, although presently I'm in sales and have been for quite some time. But transportation means a lot to me in Nebraska. You know, I've watched what the interstate has really accomplished for the whole state. I can remember in 1965 when they were building it, coming out west, what that actually did

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for the whole entire state. I remember as a child when I lived on Highway 6, the insurmountable amount of trucks that would come through there and so forth. So I've always been interested in transportation. Got a lot to learn since I've been exposed to the Department of Roads. But one thing I have seen, and this is something that I really am going to tell, I've seen a really well-run organization. I really mean that, from the top to down to everybody I've met. And everybody in the Department of Roads that I've met, they have a passion for the job. And I think that's something that needs to be told. You know, I guess I kind of did always take the maintenance of highways and everything kind of for granted. And this has really exposed a different side to me to how much work actually goes into it. So, say that, you know, I know the district; I know the area; I've dealt with people. So I'm just real excited to be part of this, really am. [CONFIRMATION]

SENATOR FISCHER: Thank you very much. Are there any questions? Senator Hadley. [CONFIRMATION]

SENATOR HADLEY: Thank you so much for coming here. I want to compliment you on your employment. I represent the Kearney district and Cash-Wa is an outstanding corporate citizen for our area and the Henning family and Tom are close friends, and they do an outstanding job, so. Could you tell me...I should know this, but District 4, what area does that basically encompass? [CONFIRMATION]

JAMES KINDIG: (Exhibit 1) Well, it's 17 counties, basically, from Genoa, Fullerton, Ord, over to down, basically, Loup City, Kearney, down to Red Cloud over to Hebron up through Nelson, York, Superior is involved there, Aurora, Hastings, Grand Island, kind of that... [CONFIRMATION]

SENATOR HADLEY: And Grand Island is... [CONFIRMATION]

JAMES KINDIG: ...yes, kind of that...kind of in the middle of the state of Nebraska, basically, only a little more south. We're not quite as far north as Senator Fischer, but we go as far north as Ord and Greeley. [CONFIRMATION]

SENATOR HADLEY: Okay. Well, we very much appreciate you taking the time to come in and visit with us. Thank you. [CONFIRMATION]

JAMES KINDIG: Thank you. [CONFIRMATION]

SENATOR FISCHER: Other questions? I see you were appointed in September. [CONFIRMATION]

JAMES KINDIG: Yes. [CONFIRMATION]

SENATOR FISCHER: Have you had an opportunity to attend a commissioner meeting?

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[CONFIRMATION]

JAMES KINDIG: Yes, I've been...I actually went to the August one, sat as a spectator. I presided in the September and the October one. [CONFIRMATION]

SENATOR FISCHER: What...I don't want to put you on the spot, but what was the most eye-opening thing to you besides how the department runs? Was there...was there anything specific that kind of jumped out to you when you were attending the meetings? [CONFIRMATION]

JAMES KINDIG: Well, you know, I guess the first one was in Lincoln, understanding how people look at what the Department of Roads should be doing and also realizing that a lot of things can't get done unless there's the money there to do it and so forth. But could really see some passion in some of the people that got up, said some things that was crucial to them that needs to be looked at and needs to be done. And then this last one in Omaha, we probably had 25 people up there. And I'd been on that road between Blair and Omaha, so I knew exactly what they were talking about. You had to feel for them. One gentleman got up and his residence had been red tagged for, I think he said nine years, and he's been sitting in limbo all this time. So you can see that side of it. And seems to me that as a commissioner you need to kind of bridge some of that gap and maybe see that the communication gets out there a little better than maybe it had been. I truthfully know that when people expect a road to be fixed, they think it can be done the next day. And I've seen how the planning goes into it and how we've got a 10-year plan and all the things that are involved in doing that. So it's not a simple solution. But I think you can make that understood to a lot of people if you approach it properly. That's one of the things, I guess, that really impressed me was there are a lot of people in this state that are concerned about the roads. [CONFIRMATION]

SENATOR FISCHER: Have you had any local people come up to you? Do they know that you've been appointed? Have they approached you on any concerns they may have with the highways in your district? [CONFIRMATION]

JAMES KINDIG: Some have, I mean, I don't think a lot of people really realize that I am the commissioner yet. But we...there in the Prosser spur, we closed the road there to repair the bridge. It's kind of...actually it's going to be closed till probably 2013. It's going to be a good year before their bridge actually gets done. And I had some questions about it and I called Wes to get some verification on why they were raising the elevation five feet from where it was and he gave me the good explanation I could get back to him. And this was a farmer that lives in Prosser that has cattle over in that area. And then I have some special friends in Wood River that are excited about the viaduct going over there and so forth. And then right in my own community, and I was glad this was brought up, because with the Archway, everybody's blaming the Archway and the reason for the new interchange there in Kearney, and, you know, it was fun for me to be

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able to tell them it's not just the Archway that this thing is being built for. The economic impact that it's going to bring to Kearney is just tremendous. There's a lot of business over there that it will impact. And if anybody's ever been into Kearney, I'll tell you, getting from one side of the town to the other is pretty tough to do sometimes and then all the trucks have to travel through that, so safety issues. So, you know, I've been able to tell some of these people, it's more to it than just putting it up there for the Archway. So some of those things have been great. [CONFIRMATION]

SENATOR FISCHER: Good. I'd like to thank you for coming in today and compliment you because it sounds like you are very knowledgeable about the roads and highways in your districts and the different communities. So thank you so much for coming in, appreciate it. [CONFIRMATION]

JAMES KINDIG: Thank you. [CONFIRMATION]

SENATOR FISCHER: Is there anyone who would like to testify in support of this nomination? Anyone in opposition? Anyone in the neutral capacity? I see none. Thank you very much. [CONFIRMATION]

JAMES KINDIG: Thank you. [CONFIRMATION]

SENATOR FISCHER: (Exhibits 2, 3, 4, 5) With that I will close the hearing on the State Highway Commission and open the hearing on the Nebraska...oh, I will not close the hearing yet on the State Highway Commission. I need to go through the reappointments, even though the gentlemen are not here in order to ask for testimony. The next appointment is Doug Leafgreen. Is there anyone here to speak on that nomination? In support? In opposition? In the neutral capacity? The next appointment is Greg Wolford. Anyone here to speak in support? Opposition? Neutral capacity? Rodney Vandenberg, anyone here to speak in support? Opposition? Neutral capacity? And David Copple, anyone here to speak in support? Opposition? Neutral capacity? I see none for those gentlemen. So with that I will close the hearing on the State Highway Commission appointments. And thank you again for coming. [CONFIRMATION]

JAMES KINDIG: Thank you. [CONFIRMATION]

SENATOR FISCHER: The next appointment we have is for the Nebraska Motor Vehicle Industry Licensing Board and Don Hansen is here. If you would come forward, please. And I'd like to thank you, Don, for being here today and taking time to come down and visit with the committee too. You're a new appointment to this board and it's important for us to have a chance to see who you are and hear your story. So if you would like to say a few words to us, that would be great. Let us know a little bit about yourself and why you would like to serve on this. [CONFIRMATION]

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DON HANSEN: (Exhibit 6) Well, thank you, Madam Chairman. I'm Don Hansen. I've been appointed to the Dealer Licensing Board for the State of Nebraska. Our company is Nu-Trend Homes. We do manufactured homes and modular homes today. When my father, we're second generation, originally started the business in the 1960s, we did trailers. So it's been, kind of been one of those industries that changed from selling trailers to selling very quality homes over the last 45 years. And that's how long I've worked for the company ever since I was 10 years old...for 45...I've never had a different job. I've always lived in...I've lived always within five miles of where I grew up in Omaha, so I haven't moved much around. I have two other brothers now that are in the business. Our father has been retired for about 16, 17 years. He served on the Dealer Licensing Board about 25 years ago so second generation on the board also. As I mentioned, we have two other brothers that are involved in the business. One of my brothers, Doug, does the basic sales; I have another brother that does...sets up the modular homes; and then I do some development. We have various developments that we've built over the years. So that's kind of how we run Nu-Trend Homes. I think it's an honor to be appointed to this board. As the other gentleman said, I've been to a couple of the meetings. It's really interesting the number of the appointees and their desire to have the integrity of the industry, as far as the motor vehicle industry. I've been very, very impressed with their dedication. So that's a little bit about me. I'm married, have four daughters. Dusty's brother lives on my street which I couldn't hardly believe he picked that up. He had my address and he says my brother lives right down the street from you. What is the chances of that? So, but, I have three daughters that live in Omaha and one lives in Denver; three married, still one to go on there. She's in medical school, second year at the UNMC. So we have three grandchildren and we do mostly family things. Been involved in family business and that's the big thing with us. We're just very thankful that we have the family all there. And my mom just celebrated her 81st birthday on Sunday, so we had the whole family for that. So it's...we have big family gatherings so very enjoyable. [CONFIRMATION]

SENATOR FISCHER: Well, thank you very much. Are there any questions? Senator Dubas. [CONFIRMATION]

SENATOR DUBAS: Thank you, Senator Fischer. Thank you so much for coming today. And I want to pick up on a little comment you made about attending some of the meetings and the dedication of the people there. And quite often we'll hear we have too much government, we need to shrink government and make government smaller. And I know you're a quasi form of government, but what value do you see in boards such as...as you're ready to start serving on? [CONFIRMATION]

DON HANSEN: I look at the board, especially when it's made up of people in the same industries; I represent the manufactured housing industry; there's other people that represent other points of the industry; we're basically, the way I understand it, we just want to make sure that the laws that are already in place are upheld. But larger than

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that, as an industry, we want to have...we want to promote the industry as being a...as a viable, but more than anything else, an industry of character and integrity. And that's what I find is important with the board. Especially if you have people that are in the industry, they don't want to give the industry a black eye. They want to have...I was very, very impressed on how they take it very seriously to have quality people. And if there is somebody that's of questionable character, what has been the question and why? They really want to get down to it. And I think that's very, very important for the entire state. [CONFIRMATION]

SENATOR DUBAS: I appreciate hearing that. And I know I rely on those of you who serve in this capacity. There's no way we can know everything about, you know... [CONFIRMATION]

DON HANSEN: Absolutely. [CONFIRMATION]

SENATOR DUBAS: ...everything that we have to deal with. So knowing that we have people who have an understanding of whatever particular industry in that position and you can come before us and share your expertise. And, certainly, I feel it helps us do our job better. So I do appreciate your willingness to serve. [CONFIRMATION]

DON HANSEN: Well, thank you. [CONFIRMATION]

SENATOR DUBAS: And hope that you'll find it a rewarding experience. On a more personal note, I was looking here, you attended Burke High School. You graduated in 1974. [CONFIRMATION]

DON HANSEN: I did. [CONFIRMATION]

SENATOR DUBAS: I'm an Omaha Westsider. [CONFIRMATION]

DON HANSEN: Oh, my. [CONFIRMATION]

SENATOR DUBAS: I graduated in 1974. [CONFIRMATION]

DON HANSEN: There you go. [CONFIRMATION]

SENATOR DUBAS: We may have crossed paths a little bit. [CONFIRMATION]

DON HANSEN: Well, there...I'm sure, I'm sure through various things. That's... [CONFIRMATION]

SENATOR DUBAS: So anyway, again, thank you for your service. [CONFIRMATION]

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DON HANSEN: Well thank you very much. [CONFIRMATION]

SENATOR FISCHER: Thank you, Senator Dubas. Other questions? I, too, would like to thank you for coming in today. It's a...as Senator Dubas said, it's very important to have people willing to step forward and serve on these boards because you do provide us with valuable information and advice and we rely on that. So thank you very much. [CONFIRMATION]

DON HANSEN: Thank you. [CONFIRMATION]

SENATOR FISCHER: Is there anyone here to speak in support of the nomination? Anyone in opposition? Anyone in the neutral capacity? I see none. With that I will close the hearing on the Nebraska Motor Vehicle Industry Licensing Board and I will close the confirmation hearings for the day. Thank you. [CONFIRMATION]