

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

Transportation and Telecommunications Committee  
May 21, 2015

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[CONFIRMATION]

The Committee on Transportation and Telecommunications met at 8:00 a.m. on Thursday, May 21, 2015, in Room 1113 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on gubernatorial appointments. Senators present: Jim Smith, Chairperson; Lydia Brasch, Vice Chairperson; Al Davis; Curt Friesen; Tommy Garrett; and Les Seiler. Senators absent: Beau McCoy and John Murante.

SENATOR SMITH: Well, good morning, everyone. We're going to get started on this morning's confirmation hearings. I am Jim Smith of Papillion. I'm Chair of the committee. I just want to briefly, quickly introduce my colleagues with me. To my far left is Senator Tommy Garrett of Bellevue and Senator Les Seiler. Senator Beau McCoy...I'm not certain of his presence. He should be joining us here in just a bit. To the far right is Senator Curt Friesen and Senator Al Davis next to Senator Friesen. Senator John Murante perhaps will be joining us here shortly and then the Vice Chair of the committee, Senator Lydia Brasch and she should be joining us here shortly. On my immediate right is Mike Hybl who is the legal counsel to the committee and on my left is Paul Henderson, committee clerk. We will be conducting these hearings in the order listed on the agenda. And if you are testifying, we just ask for you to sign in. Use the sign-in sheet so it's ready to hand to Paul when you approach the testifier table. And for the record, at the beginning of your testimony, introduce yourself. State and spell your name for the transcribers. And with that, I just wanted to thank you for being here early this morning. I know that Ms. Scherer had a couple of hours' drive. We appreciate you accommodating us. We're going to be convening at 9:00 on bills today and so we had to move it up a little bit earlier and I appreciate your flexibility with this. And with that, we will start with...the first person that we will hear from is Lori Scherer who is being appointed to the Nebraska Motor Vehicle Industry Licensing Board. So welcome.

LORI SCHERER: Good morning. [CONFIRMATION]

SENATOR SMITH: Good morning. Well, please introduce yourself to us and if you would just like to, just briefly, tell us a little bit about yourself too. [CONFIRMATION]

LORI SCHERER: (Exhibit 1) Okay. My name is Lori Scherer, L-o-r-i S-c-h-e-r-e-r. I am a board member or a secretary of the board for my family business, Smeal Fire Apparatus. I've worked there for about 40 years. And it's...we are manufacturers of fire apparatus. So I am familiar with motor vehicles and the challenges that come along with licensing manufacturers and dealers as we sell all over the United States and Canada and I've been involved in the licensing. And after 40 years, there's...I've had quite a few different experiences with many different parts of the

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manufacturing processes. And I know that there's not very many in the state of, you know, manufacturers that have something to do with vehicles. [CONFIRMATION]

SENATOR SMITH: All right. Do we have questions for Ms. Scherer? I do have...so have you had previous dealings with this agency and...or do you have any particular impressions of the board? [CONFIRMATION]

LORI SCHERER: No. My husband has been on this board before so I am familiar with sort of what goes on and what his responsibilities were. So I am somewhat familiar but I've never had any contact with them otherwise. [CONFIRMATION]

SENATOR SMITH: So you'll have a point of reference there as you dig into it a bit. [CONFIRMATION]

LORI SCHERER: I will. [CONFIRMATION]

SENATOR SMITH: Well, that's very good. You know, as a...I know you're a small business owner and you're part of a small business--I know it's...you probably employ quite a few but it's still kind of categorized as a small business. [CONFIRMATION]

LORI SCHERER: Yes. [CONFIRMATION]

SENATOR SMITH: You invest heavily in your community and this is just a continuation of that investment in your community to serve on a board like this so can't thank you enough for your company's investment in Nebraska and for the continuation of that service and being willing to serve on a board like this. [CONFIRMATION]

LORI SCHERER: Well, I would like to give back to the state of Nebraska because the...all those small communities that bought our fire trucks and helped us get our start, we want to be good corporate sponsors of the state and be good corporate citizens and so part of my decision to serve was to give back to Nebraska. So I'm... [CONFIRMATION]

SENATOR SMITH: Do you have any ideas as to how we can get more people like yourself that is invested in our communities to want to step up into these leadership roles? [CONFIRMATION]

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LORI SCHERER: I think just to let them know that there are opportunities to serve and to volunteer and to help. I think...I just don't think that they're aware that there are things that the average person can do to help the state. I just don't think they realize that. Maybe they're not qualified or they don't know about them. So I think communication would be a good start. [CONFIRMATION]

SENATOR SMITH: If you were to be in a situation where you felt that there might be a conflict of interest between your position on that board and your role in the community or your role in business, any particular way you would go about handling that? [CONFIRMATION]

LORI SCHERER: Well, I would bring it up to the chairman and let everybody know that there would be a conflict or that I was having a problem with something. I would definitely speak up. [CONFIRMATION]

SENATOR SMITH: All right. Very good. I see no further questions. Thank you. Senator Brasch has joined us. And, Senator Brasch, this is Lori Scherer and she is being appointed to the Nebraska Motor Vehicle Industry Licensing Board, so. [CONFIRMATION]

SENATOR BRASCH: Thank you, Chairman. [CONFIRMATION]

SENATOR SMITH: And I think she's represented by a pretty good senator here. [CONFIRMATION]

LORI SCHERER: I think so. [CONFIRMATION]

SENATOR BRASCH: An excellent one and she's been an excellent constituent. [CONFIRMATION]

LORI SCHERER: Thank you, Lydia. [CONFIRMATION]

SENATOR BRASCH: I apologize I'm late. I had my phone on night bell this morning. (Laugh) It was interesting. [CONFIRMATION]

SENATOR SMITH: So I... [CONFIRMATION]

SENATOR BRASCH: Welcome. And I know your credentials are great. She's done a lot in our community and for the state, has served continuously, so thank you. [CONFIRMATION]

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LORI SCHERER: Thank you, Senator. [CONFIRMATION]

SENATOR SMITH: Well, we thanked her for her flexibility in arriving a little earlier than she otherwise expected to, but... [CONFIRMATION]

LORI SCHERER: It's all right. There was no traffic on the road. (Laughter) [CONFIRMATION]

SENATOR SMITH: All right. Okay. [CONFIRMATION]

LORI SCHERER: It was good. [CONFIRMATION]

SENATOR SMITH: All right. Well, thank you again for coming forward and we will go through the process of... [CONFIRMATION]

LORI SCHERER: Okay. [CONFIRMATION]

SENATOR SMITH: ...entertaining any people that want to testify following you. So again, thank you. [CONFIRMATION]

LORI SCHERER: Okay. All right. Thank you for your consideration. [CONFIRMATION]

SENATOR SMITH: All right. All right. We now move to anyone that would like to testify in support of Ms. Scherer's confirmation. Anyone in opposition? That's a good sign. Anyone in neutral? All right. Thank you very much, Ms. Scherer, and we will close the confirmation hearing on Lori Scherer for the Nebraska Motor Vehicle Industry Licensing Board. We now would like to welcome Joe Kosiski to the table and to introduce himself just a bit. He, too, is being appointed to the Nebraska Motor Vehicle Industry Licensing Board. So as Ms. Scherer did, if you could just tell us a little bit about yourself. [CONFIRMATION]

JOE KOSISKI: (Exhibit 1) Joe Kosiski, J-o-e K-o-s-i-s-k-i. We've been in business about...it's a family business also, been in business about 40 years, right at 40 years. We have Kosiski Auto which is...we do quite a bit in the salvage industry more than we do in auto sales, truthfully. But we do a lot...I still sell quite a few vehicles every year. We see that there's a lot of question in the salvage titles in different ways that the stuff comes up. And I've talked with Bill a number of times through the years about different things and he asked me to possibly run...sit on the board and see if there's anything I can do to help it but that's where I'm at with it. [CONFIRMATION]

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SENATOR SMITH: Well, thank you for being here and thank you for your willingness to serve. Do we have any questions from anyone, any of the other senators here? Senator Friesen.  
[CONFIRMATION]

SENATOR FRIESEN: Thank you, Chairman Smith. Mr. Kosiski, do you see any issues, have you had issues with licensing and the types like that, or... [CONFIRMATION]

JOE KOSISKI: Not terrible problems. We can see that there's problems on some of the vehicles, possibly, you know, some of the storage car lot vehicles that have been stored and sit in different places, titling issues to be able to...in the salvage side or to make that vehicle a vehicle again. But some of the guys, because of the hassle for them to have to go through and try to get a title, they don't do it and they'll take it to a car crusher, shred it. They're doing it. What I'm saying, it's illegal and there's plenty of them going on. But somewhere along the line we need to have a way to be able to get that person...the person that has got that car in their storage...I'm afraid they're getting rid of cars that maybe even belong to banks or different loan institutes because they've had it on their lot for so long. What are they going to do with it? [CONFIRMATION]

SENATOR FRIESEN: So they can't track down the owner and they can't transfer a title?  
[CONFIRMATION]

JOE KOSISKI: Right. [CONFIRMATION]

SENATOR FRIESEN: Okay. Are there any other issues that you've seen on that?  
[CONFIRMATION]

JOE KOSISKI: Nope, no, I don't have any other real issues that I've seen, you know, but, I mean, I understand the salvage side of the salvage titles. I believe that they should be marked and I don't think that they should ever be cleaned up. I don't see that there's any problems that way. Me and Bill, like I said, we've worked together...when we started the business, I was 18 and basically started the business. I'm president and been with it forever. So I've done this type of business for all 40 years also. I mean, we've got a couple other businesses in the community, but for the auto side, I've been with it all 40 years. [CONFIRMATION]

SENATOR FRIESEN: Okay. Thank you. [CONFIRMATION]

JOE KOSISKI: You bet. [CONFIRMATION]

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SENATOR SMITH: Other questions? And I did not want to slight you. I know you rose early to be here as well. [CONFIRMATION]

JOE KOSISKI: It's... [CONFIRMATION]

SENATOR SMITH: I know you came from the Ralston area and thank you for your willingness to serve and also for being a small business owner. You, too, have invested in our communities and I'm glad you're continuing that and being willing to serve on this board. So again, I think you've mentioned to Senator Friesen maybe some of your background, your interests that led you towards this role. I'm going to ask the same question: If there were any type of conflict of interest that might arise, how would you go about handling that? [CONFIRMATION]

JOE KOSISKI: I would definitely just have to bring it up to the chair and say, you know, this is what's going on and there's a conflict. I mean, it's...I don't see...I don't foresee any conflict that's going to go on but, you know, I would always bring it up to make sure. I mean, I don't like to brush things under the table. I'm...I'd do...voice to the chair and let them decide how it needs to be handled from there. [CONFIRMATION]

SENATOR SMITH: Very good. Thank you. I see no further questions. Again, thank you for your willingness to serve Nebraska. And we will continue through the process and entertain any others that want to testify on your confirmation. [CONFIRMATION]

JOE KOSISKI: Absolutely. Thank you. [CONFIRMATION]

SENATOR SMITH: All right. All right. So we now open it up to anyone that would like to testify in support of the confirmation of Mr. Joe Kosiski. Seeing none, those wishing to testify in opposition? Another good sign. Anyone in the neutral? Okay. And that closes our confirmation hearing on Mr. Joe Kosiski for the Nebraska Motor Vehicle Industry Licensing Board. Thank you both for being with us today. [CONFIRMATION]