

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

Transportation and Telecommunications Committee  
March 18, 2016

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[CONFIRMATION]

The Committee on Transportation and Telecommunications met at 1:00 p.m. on Friday, March 18, 2016, in Room 1525 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing for confirmations for the Board of Public Roads Classifications and Standards. Senators present: Jim Smith, Chairperson; Lydia Brasch, Vice Chairperson; Al Davis; Curt Friesen; Tommy Garrett; John Murante; and Les Seiler. Senators absent: Beau McCoy.

SENATOR SMITH: Okay, we're going to go ahead and get started. And again, I am Jim Smith, and I am the chairman of the Transportation and Telecommunications Committee. I do have with me... [CONFIRMATION]

DAROLD TAGGE: Excuse me, can I interrupt? I'm going to have to call you back on a different phone, I can't hardly hear. Can I do that? [CONFIRMATION]

SENATOR SMITH: Yes, if you'd like to try to call back in, that would be fine.  
[CONFIRMATION]

DAROLD TAGGE: Yeah, I'll call back on another phone. [CONFIRMATION]

SENATOR SMITH: Okay. As we're waiting for Mr. Tagge to call us back in, I'm going to go ahead and just make some quick introductions. For those of us joining us by NET, we have with us today Senator Tommy Garrett, Senator Les Seiler, myself, and our Vice Chair of the committee, Senator Lydia Brasch. Since we don't have anyone in the hearing room with us today...and we just have Senator Curt Friesen joining us. Since we don't have anyone else in the committee room with us today, we're going to kind of forgo some of the housekeeping items. We do have committee clerk Paul Henderson with us, and legal counsel Mike Hybl. We do have three confirmations today for appointees to the Board of Public Roads Classifications and Standards. We are having virtual confirmation hearings today to save these folks travel time to Lincoln. This is Jim Smith, Transportation and Telecommunications Chair. Is this Mr. Tagge?  
[CONFIRMATION]

DAROLD TAGGE: Yes. [CONFIRMATION]

SENATOR SMITH: Okay, can you hear a little bit better? [CONFIRMATION]

DAROLD TAGGE: Yeah. [CONFIRMATION]

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SENATOR SMITH: Okay. I was just going through a few housekeeping items, just bear with me here for just a moment. But I was just explaining that we're going to have virtual confirmation hearings on three appointees today to the Board of Public Roads Classifications and Standards. We wanted to save these appointees some travel time to Lincoln and we're conducting these confirmation hearings by telephone today. And we're very pleased to have Darold Tagge, is the first appointee up, who has been appointed by Governor Pete Ricketts to the Board of Public Roads Classifications and Standards. And we have Darold Tagge with us on the telephone and we wanted to say welcome to the Transportation and Telecommunications Committee and thank you for your interest in serving on this very important board. Can you tell us a little bit about yourself and your interest in serving on the Board of Public Roads Classifications and Standards. [CONFIRMATION]

DAROLD TAGGE: (Exhibit 1) Well, yes. I was in the engineering business for about 35 years in Holdrege and we had several counties that we worked for: Johnson, Frontier, Furnas, Franklin, and several others that were not right close here. We did engineering work from bridges all the way to roads, culverts, and drainage, and things like that. And we also did just the surveying, where we were county surveyors in most of the counties also. So having said that, you know, that's been my background all along, so I have always had an interest in smaller towns and counties, which were most of our clients. We also had private clients along the way too. But I think I started our working for the Department of Roads way back in the early 1960s, and then I went to work for consultants and went out to Casper, Wyoming, and I was on three paving projects that they were doing for the city of Casper. And after that, I ended up working for another consultant...actually, two in the Fort Collins, Greeley area of Colorado before coming back and starting my business. But I was appointed when Mike Johanns was governor, and I knew him quite well, and he asked me if I would serve on this board back then. And I said yeah, I would, so I've kind of had a background. I'm a highway superintendent and I'm also, was...I turned in my license now...I was also a registered land surveyor. So we've always either been involved in paving and, of course, other utilities in town, but we did bridge inspection and design, drainage structures, bridges, culverts. We also did quite a little bit of street paving in some of these towns, along with road designs. So that's been my background, like I said, probably ever since the early 1960s. I worked for a construction company one time also. So I've kind of had a little bit of both sides of the construction end of it and familiar with the counties and their struggles and also with the smaller towns. I didn't work...we did not do a lot of work for large towns, but quite a bit...a lot of our clients were the smaller ones, say, like Alma, Nebraska. And well, one of the bigger ones was Broken Bow, Nebraska. So that's been my background over the years and I enjoyed it. Like I said, I retired in 2008 and have continued to serve on that board. So I'm pretty much familiar with how the state works and functions. And oftentimes, consultants come in and either ask for...I guess if they can't make a certain design standard then they can come in and ask for waivers and maybe do something a little different. And that's been a lot of our responsibilities is seeing that the county and cities and even the state if they are

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following the regulations in designing maybe bridges or culverts or something like that. And we have to have the knowledge, obviously, to say yeah, you can come in and get a...I guess what I'm saying is either a relief from a design standard that maybe it's that maybe we have to make a decision on whether or not they can still follow the guidelines. If they can't, like to the width of a tree or width of a road or a crown or whatever it might be. And we have a lot of consultants that come in, including the Department of Roads. So the members of the board vote on those things and so it's kind of nice to have the knowledge that I have. And I talked to some of the board members when I decided to resubmit my application this time, and I even talked to the chairman of the board, and like he said, you know, I've got a ton of experience in that particular area. And you know, you can't really throw that out the window I guess. So I decided that I would run one more term. [CONFIRMATION]

SENATOR SMITH: Well, that's fantastic. Mr. Tagge, you know, thank you for your introduction to us. And I know there's a number of senators sitting around a table here as well, some may have questions for you. I do want...since we began the meeting, we've been joined by some additional senators, so let me just very quickly introduce them. We have Senator John Murante, Senator Tommy Garrett, Senator Les Seiler, Senator Lydia Brasch, Senator Al Davis, and Senator Curt Friesen are here with us today. And we do appreciate your willingness to be reappointed, and we do have, right on the heels of your hearing, we're going to hear from a couple of your other colleagues that are being reappointed today as well. But let me see if we have any questions from my colleagues around the table with me today. I see no questions. And again, you know, Mr. Tagge, we greatly appreciate your interest in being reappointed and we appreciate your past service and your willingness to serve going forward on this very important board. Let me ask, is there anything you would like to share with us, and then I need to go through the process of asking whether there's anyone wanting to testify in support or opposition to your appointment. But let me first go back to you and ask is there anything else you would like to share with us before we go do that? [CONFIRMATION]

DAROLD TAGGE: I'm sorry, what are you asking me to do? [CONFIRMATION]

SENATOR SMITH: Is there anything else you wanted to share with us before we...  
[CONFIRMATION]

DAROLD TAGGE: Oh no, I don't think so. The only thing is, as you well know, we're revising some of our standards, using the 3R, in what we call restoration and (inaudible), reconstruction, and stuff like that that's been added, and replacing some of the standards that we now have that I think, if you're familiar with it, it's supposed to be coming or maybe has gone through the Senate, I'm not real sure--or the Legislature--to get it approved. We've just about got it to that point now and I think everybody, including the Department of Roads and others, have reviewed

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those standards and made those changes. And I think this will help a lot of the counties that...we haven't...really what we did was made some--a lot--of the things clearer. And, of course, standards have changed a lot; and so we've brought all our information up to date. And we're going to instill the 3R standard that's going to be brought, for all the cities and towns in the state, to those new standards. And I'd like to see that through, too; however it's pretty close to being through. I don't know exactly what's all left, because I wasn't on that particular committee, but it's gone through our board and has been approved. No, I guess I would have to say it has been enjoyable and challenging, but we have a fairly large board that are from all walks of life, but most of them have dealt with, in one way or another, either as a county board member or we have representation from the larger towns like Hastings, and we have representation also from the Department of Roads. So it's a fairly well-covered board that...and some of them are still working as a consultant, so that was why it was put together and meant to be. So I represent the third district, obviously. We have one or two more that come from the other districts and then there are some county board members on, some city individuals--the city of Hastings is an example. So that's what the board does and we can grant laxations if we want to, which are brought before us, and sometimes we do and sometimes we don't. It depends on what kind of effect it's going to have on the public and the safety act, etcetera. [CONFIRMATION]

SENATOR SMITH: And Mr. Tagge, thank you again for your willingness to serve. Let me just go through this process here, I need to ask if we have anyone present that wishes to testify in support of the appointment of Darold Tagge. I see none, do we have anyone in opposition? I see none, and do we have anyone wishing to testify in a neutral capacity? And I see none. So Mr. Tagge, again, thank you very much for your willingness to be reappointed and we're grateful to have you on the Board of Public Roads Classifications and Standards. And as I mentioned, we have a couple of your colleagues that we're going to now move to so...and we're going to hear from them, as well, in their reappointments. So thank you very much for visiting with us today and we wish you well. [CONFIRMATION]

DAROLD TAGGE: Well, thank you very much for showing an interest and I guess you always like to be a part of this type of nature. And at the time that I was appointed the first time, I really had no idea what I was getting into. But it's been enjoyable and challenging at times. [CONFIRMATION]

SENATOR SMITH: All right, well, thank you again very much. [CONFIRMATION]

DAROLD TAGGE: Thank you. [CONFIRMATION]

SENATOR SMITH: All right, bye bye. Hello, Ms. Kramer? [CONFIRMATION]

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LISA KRAMER: Yes. [CONFIRMATION]

SENATOR SMITH: Hi, this is Jim Smith, and I chair the Transportation and Telecommunications Committee. I appreciate you joining us by phone today. As a committee, we have three of your...you and two other of your colleagues today that are being confirmed by phone. So I hope that you can hear me okay. [CONFIRMATION]

LISA KRAMER: Yes, sir. [CONFIRMATION]

SENATOR SMITH: Let me quickly introduce the senators that are around the table with us today. We have Senator John Murante, Senator Tommy Garrett, Senator Les Seiler, Senator Curt Friesen, Senator Al Davis, and Vice Chair of the committee, your own Senator Lydia Brasch. [CONFIRMATION]

LISA KRAMER: Good afternoon, Senators. [CONFIRMATION]

SENATOR SMITH: And again, thank you for joining us today. And if you could give us just a brief overview of yourself and your interest in being reappointed to the Board of Public Roads Classifications and Standards. [CONFIRMATION]

LISA KRAMER: (Exhibit 1) You bet. I am a physical therapist by trade; I own my own small business in Bennington, Nebraska. I have been a county board member for Washington County for the last year plus. I was appointed for a short term to the Standards and Classifications Board last year, and I have truly enjoyed the opportunity and privilege to serve on that board and see the process of the 3R standards undergoing their change. And I would certainly look forward to the opportunity to continue to serve in that capacity on that board and see that through. [CONFIRMATION]

SENATOR SMITH: Well, thank you. And let's go around the table here and see if my colleagues any of them have questions or comments for you. [CONFIRMATION]

LISA KRAMER: Very well. [CONFIRMATION]

SENATOR SMITH: I see Senator Brasch has raised her hand, so I'm going to recognize Senator Brasch. [CONFIRMATION]

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SENATOR BRASCH: Thank you, Chairman Smith. And thank you, Lisa, for your willingness to be reappointed once more. And I do want to commend you for your ongoing interest in making not only our district a better place, but the entire state. Do you have any specific goals you would like to see or changes moving forward on this commission? [CONFIRMATION]

LISA KRAMER: Thank you, Senator. And thank you for your service to our community as well. As for my goals in serving on that committee, I feel that what I bring to the table with that committee is an understanding of what a smaller- to mid-size county really needs and desires for improvements in our infrastructure. And I think these new changes to the 3R standards are really going to be helpful in allowing our county dollars to go further for advancing the infrastructure. I have enjoyed the opportunity to work with a lot of the individuals from NDOR and I believe that my participation on the board has afforded greater communication between the state Roads Department and our county. And so I really look forward to the opportunity to continue that relationship so that we have better communication from the state level down to the county level. And really that has been the most favorable part of being a part of that committee to me. [CONFIRMATION]

SENATOR BRASCH: Thank you, Lisa. And I've known you for quite a while and you are most definitely an asset and person of high energy and integrity. And every role you have been a part of you have done well. So thank you for your willingness to serve. Chairman, I have no other questions. [CONFIRMATION]

LISA KRAMER: Thank you, Senator. I appreciate your kind words. [CONFIRMATION]

SENATOR SMITH: Any additional questions from the committee? I see none. Ms. Kramer, we're going to go through just the routine here of asking if there's anyone that wishes to testify in support, opposition, or in a neutral capacity to this appointment by the Governor. [CONFIRMATION]

LISA KRAMER: Thank you. [CONFIRMATION]

SENATOR SMITH: And I see no one wishing to testify, and so that would conclude our hearing on the confirmation of Lisa Kramer to the Board of Public Roads Classifications and Standards. And again, Ms. Kramer, we want to thank you for your willingness to be reappointed and for joining us today. [CONFIRMATION]

LISA KRAMER: Thank you very much, Senator Smith, I appreciate it. Have a good day. [CONFIRMATION]

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SENATOR SMITH: Thank you, and bye. Mr. Gerrard? [CONFIRMATION]

LeROY GERRARD: Yes, this is he. [CONFIRMATION]

SENATOR SMITH: Hello, this is Jim Smith, I chair the Transportation and Telecommunications Committee. And thank you for joining us by phone today on your reappointment confirmation to the Board of Public Roads Classifications and Standards. I'd like to introduce...I have a number of my colleagues on the committee with me today, let me introduce them to you real quickly. We have Senator John Murante, Senator Tommy Garrett, Senator Les Seiler, Senator Curt Friesen, Senator Al Davis, and Vice Chair of the Committee, Senator Lydia Brasch. And again, thank you for joining us. We will start with and ask you to just share a little bit with us about yourself and your interest in being reappointed to the Board of Public Roads Classifications and Standards. [CONFIRMATION]

LeROY GERRARD: Okay, I will. By the way, you can say hi to Curt Friesen for me, because he knows me quite well. Anyway... [CONFIRMATION]

SENATOR SMITH: That will get you everywhere on this committee, knowing Curt Friesen. [CONFIRMATION]

LeROY GERRARD: (Exhibit 1) I've been involved in county government for over 50 years. You might think I'm ancient, but I'm not quite that old yet. But anyway, I have been involved with being a county surveyor, a county highway superintendent, and now a county commissioner. And I started out working for the Department of Roads when the interstates first went through Omaha. And then from there I went into county government, and then I kind of took a leeway away into private engineering companies, one from Omaha--Kirkham Michael was the one I stayed with the longest. And then I retired and then went into county government again with the county commissioner. And that's about it for me. [CONFIRMATION]

SENATOR SMITH: Boy, that's a great deal of experience and again, we appreciate your interest in being reappointed. Let me ask my colleagues if any of them have a question for you. I see Senator Curt Friesen has a question for you. [CONFIRMATION]

SENATOR FRIESEN: Good afternoon, Mr. Gerrard. Good to hear from you again. I know we've worked together quite a few years ago, but I do appreciate your applying for this position, and I think you'll do well. [CONFIRMATION]

LeROY GERRARD: Well, thank you, Curt. [CONFIRMATION]

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SENATOR FRIESEN: That's all I have, Mr. Chairman. [CONFIRMATION]

SENATOR SMITH: All right, well, thank you. And Senator Friesen is usually much harder on appointees to these boards, so you got off real easy with Senator Friesen. [CONFIRMATION]

LeROY GERRARD: Thank you. [CONFIRMATION]

SENATOR SMITH: (Exhibit 2) And we do not have anyone with us today, so I'm going to ask, do we have anyone wishing to testify in support, opposition, or in a neutral capacity to this appointment? And I see no one here wanting to testify, but we do have a letter for the record in support of LeRoy Gerrard's appointment. And this is from Larry Dix, on behalf of the Nebraska Association of County Officials, and that's a great recommendation. [CONFIRMATION]

LeROY GERRARD: That's great. I'll have to thank him. [CONFIRMATION]

SENATOR SMITH: Okay. And again, thank you for your interest in being reappointed and your willingness to continue to serve on the Board of Public Roads Classifications and Standards. And thank you for being with us today. [CONFIRMATION]

LeROY GERRARD: Thank you, gentlemen. [CONFIRMATION]

SENATOR SMITH: All right. [CONFIRMATION]

LeROY GERRARD: Bye. [CONFIRMATION]

SENATOR SMITH: All right, bye bye. And that concludes the three confirmation hearings. And since we do have a quorum here today, we can go ahead and go into Exec and move these confirmations out so we can (recorder malfunction). [CONFIRMATION]