

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

General Affairs Committee
May 17, 2017

[CONFIRMATION]

The Committee on General Affairs met at 1:30 p.m. on Wednesday, May 17, 2017, in Room 1510 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on appointments to the Nebraska Liquor Control Commission, the Nebraska Commission on the Problem Gambling, and the State Racing Commission. Senators present: Tyson Larson, Chairperson; Burke Harr, Vice Chairperson; Carol Blood; Lydia Brasch; Bob Krist; Dan Quick; Merv Riepe; and Justin Wayne. Senators absent: None.

SENATOR LARSON: All right. Welcome to the General Affairs Committee. I am Senator Tyson Larson, representing District 40, Chair of the committee. Committee members are Senator Blood of Bellevue; Senator Riepe of Ralston; Senator Burke Harr of Omaha. To my immediate right is Josh Eickmeier, the legal counsel. To my left, Aaron Bos, the committee clerk; Senator Quick of Grand Island; Senator Brasch of Bancroft; Senator Krist of Omaha; and Senator Wayne of Omaha. There is a sign-in sheet located on the tables at the back of the room. Please read it carefully and select the correct box. The first is for those testifying today, second for those that are not testifying but are submitting written testimony, and the third box for those not testifying or submitting written testimony but want your position recorded on the issue for the committee record. When it is your turn to testify, please give your sign-in sheet to the committee clerk. This will help maintain a more accurate public record. After each appointee testifies, the chair will ask for public testimony in support, in opposition, and in neutral. When you come to testify, please speak clearly into the microphone. Please tell us your name and spell your first and last name. Also, please tell us whom you're representing if anyone. We will be using the light system. Testifiers will have three minutes, the appointees will have more than that. But please keep it short. We will be represented by a green light when you begin, an amber light when you have one minute remaining, and a red light when your time is up. Please turn off your cellphones or put them on silent. Keep your conversations to a minimum or take them into the hallway. The General Affairs Committee is a paperless committee, therefore, we try to accept our handouts electronically. If you only have paper handouts, we will try to accommodate you. Because this committee is going paperless, senators are allowed, and even encouraged, to use electronic devices for the hearings because that's how we receive all of our information. Due to logistical challenges, some of the appointees will be appearing via phone. So we may need to alter the order of the agenda to accommodate everyone's schedules. Therefore, your patience is greatly appreciated. We will begin today's hearings with the reappointment of Bruce Bailey to the Nebraska Liquor Control Commission. Mr. Bailey, welcome back to the General Affairs Committee.

BRUCE BAILEY: Thank you. It's Bruce Bailey, B-r-u-c-e B-a-i-l-e-y. [CONFIRMATION]

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

General Affairs Committee
May 17, 2017

SENATOR LARSON: Tell us a little bit about yourself and your time on the Liquor Control Commission. [CONFIRMATION]

BRUCE BAILEY: I'm the newbie and Whiteclay came as I got here. And so I was filling in a term for Bill Austin, so it's been a little over two years now. Certainly been at a time where it has been not only an interesting challenge and a learning curve, but certainly I feel like we've done some good things. As far as the Liquor Commission, as you know, it's three members independent as could be. I've enjoyed working with them and I would look forward to doing it for four more years. [CONFIRMATION]

SENATOR LARSON: Thank you, Mr. Bailey. Questions from the committee? Senator Harr. [CONFIRMATION]

SENATOR HARR: Thank you. Mr. Bailey, you and I have met before, my name's Burke Harr. I had a case in front of you that I lost, I then won in front of the district court. It is now in front of the Court of Appeals. I will not be voting for you today, but not because I don't think you're a good person. I'm going to be present, not voting. I just don't want an appearance of impropriety, because I do have an active case involving the Liquor Control Commission. If I could, I would vote for you. But I just want it on the record why. Given that my firm is currently involved with a case against the Liquor Control Commission, I just don't feel it would be proper. [CONFIRMATION]

BRUCE BAILEY: I respect that. Thank you. [CONFIRMATION]

SENATOR HARR: But thank you for your service to the state, and thanks for all that you do. [CONFIRMATION]

BRUCE BAILEY: Thank you. [CONFIRMATION]

SENATOR LARSON: Thank you, Senator Harr. Senator Riepe. [CONFIRMATION]

SENATOR RIEPE: First of all, thank you for being here, and thank you for your service. My question has to do with the, which is up-front and in the paper in the Omaha Club (sic)...the...bring...the bottle club where...I know there is an article in the paper today, and I'm just asking you to respond to that, that he said he's here to stay. And the city council in Omaha had to take some action, because I think we couldn't at the state level, is the way I understand it. So I don't know whether you have anything that you can share, or any thoughts, or anything in terms of how do we address those "community nuisances" if you would. [CONFIRMATION]

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

General Affairs Committee
May 17, 2017

BRUCE BAILEY: Community input is extremely important in this case. But I will say that it's before us. And so I'm feeling like right now we're waiting for all the facts to come before us. From that standpoint, we have been pretty observant when communities have an opinion; such as the city council of Omaha, city council of Lincoln, other communities: Grand Island, etcetera, as they come before us. We take that into account from the standpoint we feel they're closer to what's happening, and we've been very respectful of their opinions and used it in our decisions. [CONFIRMATION]

SENATOR RIEPE: Okay, thank you. [CONFIRMATION]

SENATOR LARSON: Senator Harr. [CONFIRMATION]

SENATOR HARR: I should clarify, again. I said I wouldn't be voting for you, I should say I am abstaining, which is a big difference. So I apologize. But yes, thank you. [CONFIRMATION]

BRUCE BAILEY: Thank you. [CONFIRMATION]

SENATOR LARSON: Senator Krist. [CONFIRMATION]

SENATOR KRIST: I started on this committee when I was first appointed in 2009, was here for many years and then left. And now I'm back. The relationship between the Liquor Control Commission, in particular, legal counsel and the past chairmen of this committee has been wonderful. The kinds of things that you asked for were put in a noncontroversial package and were sent forward. And I want to apologize to you for what happened this year with LB632. The Chairman made a decision. He's the chairman, he is doing what he thinks is right. I disagree, and I will be bringing a package next year that has those three things that are noncontroversial as a separate bill, so we don't have to tie that to a noncontroversial package. And I know you don't want to comment on that issue, but I feel that the bottle club issue is very important to me. I know it's very important to some of my colleagues, Senator Quick in particular. It affects him and the Hastings and Grand Island area as well. And I think we did you an injustice this year by tying you up with some controversial issues. And I don't want to comment on the controversial part of it, nor on the Chairman's decision, but I'm promising you there will be a piece of legislation that hopefully will be allowed to come out of this committee by itself to look at those issues that you think are important. My only advice to the Liquor Control Commission is that when you think things are very important, and maybe they need to be addressed because of the priorities, that we not suggest, or hopefully suggest that the Chairman not wrap them up in a package that encumbers what you need to have happen. And having been here for a while, that's just an editorial opinion so. [CONFIRMATION]

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

General Affairs Committee
May 17, 2017

BRUCE BAILEY: Senator Krist, if I could respond a little bit. [CONFIRMATION]

SENATOR KRIST: Absolutely. [CONFIRMATION]

BRUCE BAILEY: Actually, we're kind of in a funny posture now where we're going to have to change some rules because some things didn't happen. And I think if we could separate this out, and the other is there's some players that need to be involved before it comes before you. [CONFIRMATION]

SENATOR KRIST: Fair enough. [CONFIRMATION]

BRUCE BAILEY: And we would be more than willing to not only coordinate that, but work with them, because we'd like it to go through. The Chairman actually has some good points that we need to deal with. But there was some good parts of that bill that we needed for collecting taxes, and so there's really a two-part position. And we'd certainly be interested in working. [CONFIRMATION]

SENATOR KRIST: Good. Happy to work with you, thank you. [CONFIRMATION]

SENATOR LARSON: Thank you, Senator Krist. Any further questions? Seeing none, thanks for coming today, Bruce. [CONFIRMATION]

BRUCE BAILEY: Thank you. I appreciate it. [CONFIRMATION]

SENATOR LARSON: Any proponents? Seeing none, opponents? Seeing none, neutral? That will close the hearing. [CONFIRMATION]

HOBERT RUPE: I guess I would testify neutral if it's possible. Only because...hi, Hobert. I'm sorry. Hobert Rupe, executive director of the Nebraska Liquor Control Commission. [CONFIRMATION]

SENATOR LARSON: Please spell your name. [CONFIRMATION]

HOBERT RUPE: H-o-b-e-r-t R-u-p-e. I want to testify neutral, because it's inappropriate for me to take a position on whether one of my bosses is qualified or not. I guess the only reason I'm coming forward is to answer the question that Senator Riepe brought up and sort of the bottle club issue. The commission's position on the activities that are described as going on at those

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

General Affairs Committee
May 17, 2017

clubs, it has long been the commission's position that a liquor license is required already. We believe 53-168...I mean, 53-186.01 covers it. The problem that we have is it's part of the Liquor Control Act that's outside of our enforcement realm. That creates a misdemeanor for operating one of those places, and generally you would have to have the local police and/or a local prosecutor file those misdemeanor charges. You know, I don't think I'm stepping out of line. That's been a position that the commission has taken for 25-plus years and given out guidance that if somebody comes forward with that type of model we've always said that a bottle club...that a liquor license would be required. The bottle club language was put in there to sort of double down on that, because we had some prosecutors who were hesitant and they would have felt more comfortable with that. But I just wanted to make sure that was clear on the record that the commission has long been on the position that a place which would appear to be open for the public for consumption of alcohol would be require a liquor license under 53-186.01. So I'd be happy to answer any questions on that. [CONFIRMATION]

SENATOR LARSON: Seeing none, thank you, Mr. Rupe. Any further neutral testimony? Seeing none, that will close the hearing on Bruce Bailey to the Nebraska Liquor Control Commission. Do we have Mr. Muelleman calling in? You missed this, Senator. There's two people: that one is out of state that is calling in, and another one is from Sidney, so we have to call them or have them call in. [CONFIRMATION]

SENATOR KRIST: Okay. [CONFIRMATION]

SENATOR LARSON: Mr. Muelleman? [CONFIRMATION]

ROBERT MUELLEMAN: Yes, this is Dr. Muelleman. [CONFIRMATION]

SENATOR LARSON: Welcome to the General Affairs Committee. Can you please state and spell your name, and then give us an overview on your interest in the Nebraska Commission on Problem Gambling? [CONFIRMATION]

ROBERT MUELLEMAN: Sure. My name is Robert Muelleman, R-o-b-e-r-t M-u-e-l-l-e-m-a-n. I apologize for having to call in, and if you hear some background noise it might be the airport overhead. But thank you for letting me call in like this. So my...I was actually approached and asked if I'd be interested. I'm an emergency physician at Nebraska Medical Center. Have been involved in other...oh, trying to pay back a little bit, and I thought this would be a good opportunity to pay back by participating in this board which seems to have an interest in helping people with problem gambling. And that's how the process got started a couple of weeks ago. [CONFIRMATION]

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

General Affairs Committee
May 17, 2017

SENATOR LARSON: Excellent. Well, I appreciate that. I'll open it up to questions from the committee. Senator Krist. [CONFIRMATION]

SENATOR KRIST: Doctor, thank you for volunteering. And if you could, just do you know what this commission is all about? [CONFIRMATION]

ROBERT MUELLEMAN: You know, I didn't before. You know, my wife served on the Commission for the Deaf and Hard of Hearing, but I'm familiar a little bit with about the commission process. But this particular commission, after I expressed interest, David Geier sent me information. And so I do know what it's about. Actually when I was asked, I think it's about providing services, and I saw some of the money flows where they get their money and how they spend it to provide services for people that are trying to address their problem gambling. So that's about the extent of my knowledge about that. [CONFIRMATION]

SENATOR KRIST: Sure. And I didn't want to put you on the spot, I just...the reason I asked the question is a lot of times when we talk about problem gambling in this particular organization, we think that it's an anti-gambling program. And it's probably the furthest from that. The reality is that we do have addictions, this is one. And this commission, this group, has been put in place by constitution by the law, saying that if we do have this problem then obviously we want to facilitate folks who don't want to necessarily continue with the addiction. So I think I've been involved with this commission for a long time and I believe in what they do. And I believe that they've grown in an appropriate way. And I hope that if I could ask you a favor, just make sure that we are aware if the right amount of dollars and the right emphasis is being put in your court to make you successful. [CONFIRMATION]

ROBERT MUELLEMAN: Yeah. No, I appreciate that. I did understand it was a nonpolitical...sort of nonpolitical in terms of the gambling issue, but it was more involved in the providing resources to people with the gambling problem, as you stated. Thank you. [CONFIRMATION]

SENATOR KRIST: Yeah. Thank you, Doctor. [CONFIRMATION]

SENATOR LARSON: Thank you, Senator Krist. Any further questions? Senator Riepe. [CONFIRMATION]

SENATOR RIEPE: Dr. Muelleman, this is Merv Riepe, I'm from the Omaha, Ralston area. The question I have is how did you happen to seek the seat on this particular commission, as opposed to some of the other commissions that we have available? []

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

General Affairs Committee
May 17, 2017

ROBERT MUELLEMAN: Oh. Well, I got a call and I guess their was a position named for a physician, so I'm guessing that various seats on the commission have specific titles associated with that. And my understanding was the physician that had been on it term had expired, and I had been approached. And I'm not sure why I was approached about that, but that's what happened. [CONFIRMATION]

SENATOR RIEPE: Okay. Well, we appreciate your interest in any area that you're willing to serve. [CONFIRMATION]

ROBERT MUELLEMAN: Well, thank you. [CONFIRMATION]

SENATOR RIEPE: That's important to all of us. [CONFIRMATION]

SENATOR LARSON: Thank you, Senator Riepe. Any further questions? Seeing none, thank you, Mr. Muelleman. If you can stay on the line for just a second, I'll see if we have any proponents. Seeing none, any opponents? Seeing none, neutral testimony? Seeing none, that will close the hearing for Dr. Robert Muelleman. Thank you for calling in and we will move to the next testifier...or next one. Thank you. [CONFIRMATION]

ROBERT MUELLEMAN: Okay. Thank you very much. Appreciate it. Bye now. [CONFIRMATION]

SENATOR RIEPE: Thank you. [CONFIRMATION]

SENATOR LARSON: Is Matthew the other one we need to call, Aaron? [CONFIRMATION]

AARON BOS: Sorry? [CONFIRMATION]

SENATOR LARSON: Matthew is the next one? [CONFIRMATION]

AARON BOS: Yes. [CONFIRMATION]

SENATOR LARSON: All right. Let's take of that last call-in and we'll...from there. Mr. Moonheiser (phonetic)? [CONFIRMATION]

MATTHEW MONHEISER: Yes, Monheiser. [CONFIRMATION]

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

General Affairs Committee
May 17, 2017

SENATOR LARSON: Monheiser, I'm sorry. [CONFIRMATION]

MATTHEW MONHEISER: That's all right. [CONFIRMATION]

SENATOR LARSON: Welcome to the General Affairs Committee. What I need you to do is just state and spell your name and then give us a little bit of background about yourself and why you're interested in the Nebraska Commission on Problem Gambling. You know, two, three minutes. If shorter, that's great. [CONFIRMATION]

MATTHEW MONHEISER: Okay. My name is Matthew Monheiser, last name is spelled M-o-n-h-e-i-s-e-r, and I'm interested in the Problem Gambling Commission. I spent three years in federal prison, I took \$1.5 million from a bank because of gambling. I did pay it back through the graciousness of my friend. And it has definitely changed my life. And I was, and still am, an addict, a recovering addict, but refrain from gambling. So it's something that I am...it's affected me personally, and I'd like to help others maybe; help them with their problem. So it has a...gambling has had a drastic effect on me and my family, and that is why I'd like to do it. [CONFIRMATION]

SENATOR LARSON: I can appreciate that, and thank you for your willingness to serve. I'll take questions from the committee. Senator Krist. [CONFIRMATION]

SENATOR KRIST: Thank you for volunteering to do this. I think that the commission will be well-served by someone who knows the addiction. And I'm sure you'll be able to shed some light on other things as well. If I could just ask, have you been in Sidney throughout all of your issues with gambling? [CONFIRMATION]

MATTHEW MONHEISER: Yes. I've been in Sidney I think for 15 years pretty much. [CONFIRMATION]

SENATOR KRIST: And were there any services available to you for your problem gambling? [CONFIRMATION]

MATTHEW MONHEISER: There is nothing. You know, there is nothing out in western Nebraska at all. I think there is one in Alliance, a GA meeting, but there's very little out here. We're kind of on the other end of the state. [CONFIRMATION]

SENATOR KRIST: I think you know where I'm going with this. [CONFIRMATION]

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

General Affairs Committee
May 17, 2017

MATTHEW MONHEISER: Yep. [CONFIRMATION]

SENATOR KRIST: We need to expand your capability. And your voice will be a voice of reason on this whole process. And I'll ask you to do the same thing I asked a prior volunteer to do, and that's if the issue is money or support from the Legislature in order to do the job that we hope you will do very well, don't feel like you can't pick up the phone and call any of us to try to get that help. But you got some pretty good leadership in David. And so good luck.
[CONFIRMATION]

MATTHEW MONHEISER: Thank you. I appreciate it. [CONFIRMATION]

SENATOR LARSON: Thank you, Senator Krist. Any further questions? Senator Riepe.
[CONFIRMATION]

SENATOR RIEPE: Thank you, Mr. Monheiser. The question I had, I wanted to clarify, I think that you said that the money had taken from the bank, was that \$1 million or \$1 billion?
[CONFIRMATION]

MATTHEW MONHEISER: Was \$1.5 million. [CONFIRMATION]

SENATOR RIEPE: Okay. I thought I heard billion and I wondered. [CONFIRMATION]

MATTHEW MONHEISER: And a friend lent it to me and I paid them back in full, plus interest, plus attorney fees. So hopefully that adds to my credibility, when I could have just walked and turned my head, but I didn't. [CONFIRMATION]

SENATOR RIEPE: Absolutely. Good for you. Thank you, I think you'll bring a lot to the commission. [CONFIRMATION]

MATTHEW MONHEISER: Thank you. [CONFIRMATION]

SENATOR LARSON: All right. Thank you, Senator Riepe. Any further questions? Seeing none, if you could stay on the line we'll go through proponents and whatnot. And then we can let you go. [CONFIRMATION]

MATTHEW MONHEISER: Okay. [CONFIRMATION]

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

General Affairs Committee
May 17, 2017

SENATOR LARSON: Do I have any proponents to Mr. Monheiser? Seeing none, any opponents? Seeing none, neutral? Seeing none, that will close the hearing on Mr. Matthew Monheiser. Thank you for calling in, and have a nice day, sir. [CONFIRMATION]

MATTHEW MONHEISER: Thank you. Appreciate your time. [CONFIRMATION]

SENATOR LARSON: And that moves us to the last hearing on the Nebraska Problem Gambling Commission, Mr. Cameron Arch. Welcome to the General Affairs Committee.
[CONFIRMATION]

CAMERON ARCH: Thanks, Chairperson Larson, members of the committee. For the record, my name is Cameron Arch, spelled C-a-m-e-r-o-n A-r-c-h. I'm here for a first time appointment to the Commission on Problem Gambling. I'll just keep my background pretty brief here. But I am a Nebraska native, grew up in Papillion. Ventured away from Nebraska for a short while to attend school in Ohio before I went out to Washington, D.C to serve in the federal government as a Bush appointee to the U.S. Trade and Development Agency. Since that, I returned to Nebraska to attend the University of Nebraska College of Law, where I now work at BlueCross and BlueShield of Nebraska. I've been there for about six years working as an attorney, primarily on regulatory healthcare law and healthcare reform. So it's been an exciting time. But the reason I'm here today and seeking this confirmation really stems from a desire to get involved in public service and in my community. Like I said, I had the opportunity to work in public service in the federal government. Since then, I think my volunteerism has been somewhat lacking, and so I'm looking for ways to get involved. I came across this position just perusing the Governor's web site and came across the need for a legal representative on the commission. And I think it's a good position, given my background in reviewing regulation, statutes, and contracts, particularly those with provider contracting. So, you know, more importantly, I do think this offers just a chance to become involved in a commission, in talking to David, that's doing a lot of good work throughout the state. And it would be a great opportunity I think for me to lend my services.
[CONFIRMATION]

SENATOR LARSON: Thank you, Mr. Arch. [CONFIRMATION]

CAMERON ARCH: Thank you. [CONFIRMATION]

SENATOR LARSON: Questions from the committee? Senator Krist. [CONFIRMATION]

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

General Affairs Committee
May 17, 2017

SENATOR KRIST: You'll learn a lot from "Mr. Miyagi" as you go through this thing. And it will be a good relationship. Thank you for your service. You heard what I said before with the other call-ins. [CONFIRMATION]

CAMERON ARCH: Absolutely. [CONFIRMATION]

SENATOR KRIST: Don't feel like you can't pick up the phone and call if you need support. We're here. [CONFIRMATION]

CAMERON ARCH: Sure. Thank you, Senator. [CONFIRMATION]

SENATOR LARSON: Thank you, Senator Krist. Senator Riepe. [CONFIRMATION]

SENATOR RIEPE: Thank you for being here. Thank you for your willingness to serve. Mine is a kind of a personal question I guess. Are you related to John Arch? [CONFIRMATION]

CAMERON ARCH: I am. He's my father. [CONFIRMATION]

SENATOR RIEPE: That's your father? Okay. [CONFIRMATION]

CAMERON ARCH: Yep. [CONFIRMATION]

SENATOR HARR: Uh-oh. [CONFIRMATION]

SENATOR RIEPE: I've known John for a long time at Boys Town. [CONFIRMATION]

CAMERON ARCH: Okay, I'll mention that. He's a good man. [CONFIRMATION]

SENATOR RIEPE: Okay, thank you. You look well-qualified. [CONFIRMATION]

CAMERON ARCH: Thanks. [CONFIRMATION]

SENATOR LARSON: Thank you, Senator Riepe. Any further questions? [CONFIRMATION]

CAMERON ARCH: I'm just waiting for Senator Harr to chime in here. [CONFIRMATION]

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

General Affairs Committee
May 17, 2017

SENATOR HARR: Yeah, I'll leave you alone. [CONFIRMATION]

SENATOR RIEPE: He's been waiting. [CONFIRMATION]

SENATOR HARR: I know. [CONFIRMATION]

SENATOR LARSON: Thank you, Senator Harr. Seeing no further questions.
[CONFIRMATION]

CAMERON ARCH: Great, thank you. [CONFIRMATION]

SENATOR LARSON: Thank you. Do I have any opponents...or excuse me, proponents first.
Proponents? [CONFIRMATION]

SEVERE WEATHER ADVISORY [CONFIRMATION]

SENATOR LARSON: Okay. Proponents again? Seeing none, opponents? Seeing none, neutral
testimony? Seeing none, that will close the hearing on Mr. Arch. Thank you for coming in today.
And move us to the last appointment hearing, Mr. Thomas Patterson to the State Racing
Commission. Welcome to the General Affairs Committee. [CONFIRMATION]

THOMAS PATTERSON: Thank you. [CONFIRMATION]

SENATOR LARSON: Please state and spell your name. And as I have said, give us a little brief
background and why you're interested in the State Racing Commission. [CONFIRMATION]

TOM PATTERSON: Sure. My name is Tom Patterson, P-a-t-t-e-r-s-o-n. With the exception of
going to college at Nebraska Wesleyan University and the University of Nebraska College of
Law, I have lived in Cambridge, Nebraska, my entire life. I was fortunate enough after
graduating from law school to be able to go back home, open my own law practice. After four
years, I was elected county attorney in 1994 and have been privileged to have served in that
position to this day. That's part of my background. I have also been married to my wife,
Catherine, for 25 years. We have four children, one grandchild, and one grandchild due
sometime this week. As far as some of the skill sets that I believe I would bring to this
commission, I believe that serving as county attorney for 22 years I have developed the ability to
look at rules and regulations, apply those rules and regulations to be able to develop facts, and
then apply those, and then make a decision. One of the things I also served as a hearing officer

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

General Affairs Committee
May 17, 2017

for the Nebraska Department of Motor Vehicles in my private practice for 15 years. During that time, was able to conduct hearings, and again, elicit facts, apply the law, and also then render a decision based upon the law and the facts. I have had an opportunity to attend one of the commission hearings in Grand Island. I was extremely impressed with the staff, I was also very impressed with the members of the commission, that they are very dedicated. I believe it would be an honor to serve with them. I believe the horse racing industry has such a tradition in this state that I would be proud to be serving on that commission. [CONFIRMATION]

SENATOR LARSON: Senator Krist. [CONFIRMATION]

SENATOR KRIST: So you heard some of my comments earlier. And since I've been here, I've been asking the same question: Why don't we have horse racing at the State Fair? So will you work on that for me? Try to get horse racing back at the State Fair? [CONFIRMATION]

THOMAS PATTERSON: I would definitely be open to seeing that. [CONFIRMATION]

SENATOR KRIST: Yeah. Because I think that's where I learned my love of horse racing, is going to the State Fair, and of course having Aksarben in our backyard. But I just think it's a beautiful sport and I think we should expose our children in this state to that sport during the State Fair. [CONFIRMATION]

TOM PATTERSON: And that is one of the things that I have noticed at horse races is that there are families there and there is a lot of camaraderie and a lot of fellowship there. And I think it's just a great sport. And as far as when we had horse racing here in Lincoln, that was one of the first dates that I took my wife on. [CONFIRMATION]

SENATOR KRIST: And I think we should use Fonner Park for horses and not tractor pulls. How's that? [CONFIRMATION]

TOM PATTERSON: There you go. [CONFIRMATION]

SENATOR LARSON: Thank you, Senator Krist. Any other questions from the committee? Senator Brasch. [CONFIRMATION]

SENATOR BRASCH: I would object to using the tractor pulls for horse races. There's not enough room for that. You need a track that encompasses the area. And I do understand...I'm the former marketing director for the State Fair, and I actually used to help give bouquets out in the winner's circle as part of my responsibility. How do you see the fair growing itself, if not at the

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

General Affairs Committee
May 17, 2017

State Fair? Apparently, they use the same facility. I've talked to the manager and apparently it's not an option at this point to have the State Fair have horse races because of the parking. The stables are used for livestock and etcetera. Do you see an expansion happening? Have you considered that? [CONFIRMATION]

TOM PATTERSON: I have not considered that. [CONFIRMATION]

SENATOR BRASCH: Okay. All right. [CONFIRMATION]

TOM PATTERSON: But that is something I would definitely look at. But as long as they don't interfere with the goat barn that my...my son shows goats during the State Fair. [CONFIRMATION]

SENATOR BRASCH: Okay. Well, I understand there's conflicts there between the 4-H programs and the track space-wise. So I want to thank you for your willingness to serve. And any contributions that you can make to help bring back the sport of kings in a more traditional fashion. Not electronic, but more traditional. Thank you. [CONFIRMATION]

TOM PATTERSON: Thank you. [CONFIRMATION]

SENATOR LARSON: Thank you, Senator Brasch. Real quick, in that I think this is important for this committee to know and because I think...I know Senator Krist cares deeply about the horse racing industry, as do I. I think it's one of the issues that we really work together on. We all want the industry to grow and continue to grow, and through part of that is to make sure that the Lincoln horse track stays open. And we understand to keep our purses up in the state of Nebraska the simulcasting efforts that we have in the state of Nebraska...in order to have simulcasting requires a race day. And sometimes how those race days are constructed get what I would call misconstrued by the media or certain individuals. And I just want to ask you on the record as do you support the Lincoln horse track as is and what they're doing to build a new track, so they can have a full one, so they can continue to have simulcasting, keep those purses, and continue to race in Lincoln? Is that something what you've seen and understood so far? Something that you support right now? [CONFIRMATION]

TOM PATTERSON: I would support that, the expansion or would continue to... [CONFIRMATION]

SENATOR LARSON: And what's currently happening in order to continue to develop? [CONFIRMATION]

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

General Affairs Committee
May 17, 2017

TOM PATTERSON: Yes. [CONFIRMATION]

SENATOR LARSON: Thank you. Seeing any further questions? Seeing none, thank you for coming in today. [CONFIRMATION]

TOM PATTERSON: Thank you. [CONFIRMATION]

SENATOR LARSON: Any proponents? Opponents? Neutral? Seeing none, that will close the hearing on Mr. Patterson. And I'll move a...I'll send a quick exec, so we can kick these guys out. And I'll have them reported to the floor this afternoon. [CONFIRMATION]