

Transcript Prepared by Clerk of the Legislature Transcribers Office

General Affairs Committee April 2, 2024

Rough Draft

LOWE: My name is John Lowe and I represent District 37. I am Chair of this committee and will be conducting today's hearing. Today we'll be hearing five appointments. If you wish to testify in person on any of the appointments before us, we ask you to fill out one of the green sheets of paper. They're located on tables on either side of the room. If you're here and do not wish to testify, but you wish to state and support your opposition for any of the appointments before us, we ask you to fill out the sign-in sheet. If you do testify, please hand your sheet to the committee clerk over here, as you come up. Please begin your testimony by stating and spelling your full name for the record, which is very important for our transcribers office. The appointee will be given the opportunity to open. Then we will hear the proponents, opponents, and neutral testimony for each appointee. We ask that you will listen very carefully and try not to be repetitive. We do use the light system in the General Affairs Committee. We'll be doing five minutes. Each testifier is afforded five minutes to testify. The green light signifies your start, when the light changes to yellow, you have one minute remaining, and, when it turns red, you are to conclude. At this time, I would like to encourage everyone to turn off the-- or silence any cell phones or electronic devices, anything that makes noise. We are equipped for electronics, so you will-- may see members referencing their iPads, iPhones or other electronic devices. I can assure you they're just researching the matters before us. If you have prepared a statement, an exhibit, or anything you would like to have distributed to the committee members, we ask that you provide ten copies to our committee clerk. If you do not have ten copies, don't worry. Provide what you have to the committee clerk, and we will make copies to distribute to the committee. With that, we will proceed with introduction of, of our members, starting at my right with John Cavanaugh.

J. CAVANAUGH: John Cavanaugh, District 9, Midtown Omaha.

HUGHES: Jana Hughes, District 24, Seward, York, Polk, and a little bit of Butler County.

HARDIN: Brian Hardin, District 48, Banner, Kimball, Scotts Bluff Counties.

HOLDCROFT: Rick Holdcroft, District 36 west and south Sarpy County.

LOWE: On my right is--

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LAURIE HOLMAN: Laurie.

LOWE: Laurie Holman, our committee counsel, sorry.

HUGHES: Oh, we've just started the week. Jeepers.

LAURIE HOLMAN: It's alright.

HUGHES: Wait till Friday.

LOWE: It must be Tuesday. And, and our committee clerk is Andrew Shelburn. Our page for the day is Judy-- Julie Skavdahl. And with that, we will start with Dan Volnek, Nebraska Commission on Problem Gambling. And welcome.

DAN VOLNEK: Thank you. Daniel Volnek, D-a-n-i-e-l V-o-l-n-e-k.

LOWE: Go ahead and proceed.

DAN VOLNEK: Well, I want to continue on with my service on the committee here. I am a recovering gambling addict, and I believe in what the mission of the committee is doing. I think prevention education is much, much needed. I'm a man of few words.

LOWE: Wonderful.

HUGHES: That's all right.

LOWE: So, how long have you been on the commission?

DAN VOLNEK: Three years.

LOWE: Three years.

DAN VOLNEK: Three years. Yes.

LOWE: And you see the good it's doing?

DAN VOLNEK: I'm sorry?

LOWE: You see the good that it's doing there?

DAN VOLNEK: I do. I do. Education prevention is, is huge. It needs to be talked about all the time.

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LOWE: Senator Jane Raybould has just appeared, so I'd like to recognize her. And Senator Holdcroft has a question.

HOLDCROFT: Thank you, Chairman Lowe. I just-- you're the first, so I have to ask the questions. It's a three year term, correct? And how many members are there on the, on the commission?

DAN VOLNEK: Six?

_____: Nine.

HOLDCROFT: Nine.

DAN VOLNEK: I flunked math, so.

HOLDCROFT: So you were the first guy up, I'm so you, you had to know that. I just noticed, it looks like you went to Columbus High School. So how did you make your way from Columbus to-- where do you live today?

DAN VOLNEK: In Lincoln.

HOLDCROFT: In Lincoln. So how did you make your way from Columbus to Lincoln?

DAN VOLNEK: I'm sorry?

HOLDCROFT: How did you make your way from Columbus to Lincoln?

DAN VOLNEK: Just natural progression. I started here 35 years ago with the company that my brother-in-law worked with. So I moved from Denver back to Omaha in March of '89.

HOLDCROFT: OK.

DAN VOLNEK: Back to Lincoln. I'm sorry.

HOLDCROFT: Thank you.

LOWE: And thank you, Senator Holdcroft. Any other questions for Mr. Volnek? Seeing none. Thank you very much.

DAN VOLNEK: You bet.

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LOWE: Oh. Oh, I'm sorry. We see we don't have your financial documents recorded yet, so if you would please file those as soon as possible so we can have those?

DAN VOLNEK: OK.

LOWE: Thank you.

DAN VOLNEK: Thank you.

LOWE: Next we have Paul Leckband? Leckband?

PAUL LECKBAND: Leckband, yes.

LOWE: All right. For the Nebraska Commission on Problem Gambling.

PAUL LECKBAND: Yes. It's P-a-u-l L-e-c-k-b-a-n-d.

LOWE: All right.

PAUL LECKBAND: This would be coming up on my fourth term. I was in education for over 40 years. I, I taught and coached and served as an administrator at the junior high and high school level. Grew up in Missouri. Spent five years in Chicago. 13 years here in Lincoln, I was at Lincoln Lutheran. Four years at the Lutheran High School of Hawaii in Honolulu, and then moved to Norfolk in 1997 to help start Lutheran High Northeast. I have a strong interest in, in young people, very concerned about how, how the influence of, of gambling could be a detriment to our young people when they're at such a vulnerable, impressionable age. I've enjoyed my work on the commission very much, definitely have seen the importance of it. And that's why I wish to continue.

LOWE: All right. Thank you. Paul. Yes, Senator Hughes.

HUGHES: Thank you. Chairman. Thanks for your service. Fourth year is a lot. Fourth term. That's many, many years doing this. What do you see the biggest issue coming down the pike, I guess, for, like, what you guys will have to deal with with the gambling. And I was just mentioning earlier, I was listening on NPR, they did an hour kind of talk on the online gambling piece and what-- and I have a son that's a high schooler, a senior in high school, and a lot of his friends are kind of delving into that a little bit, too. So I don't know if that, you see, is a bigger problem coming down the pike or what? I guess what issues you see for Nebraska.

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PAUL LECKBAND: I, I, I definitely see that, how easy it is to gamble online. Sports gambling has become a huge issue. I think the legalization of casinos in Nebraska has implications for problem gambling. I have a niece whose first husband was heavily involved in online gambling to the point of, of, of losing thousands of dollars a month. And, and it played a major role in the divorce that finally ended up happening. So, again, I think our, our young people, not just our young people, but all of our people here in Nebraska really face some tremendous challenges when it comes to opportunities to gamble.

HUGHES: Thank you.

LOWE: Thank you, Senator Hughes. Senator Cavanaugh.

J. CAVANAUGH: Thank you, Chairman. Thank you, Mr. Lechband, for your service and willingness to serve. Do you know-- do you serve a particular role on the board? I mean, do you have to be from a certain area, or--

PAUL LECKBAND: Basically education. That's, that probably would be the one. And I apologize for my, my cell phone. I forgot to ask my granddaughter this morning how to turn it off. I'm sorry. But yes, ed-- education. That's my primary interest. Yes.

J. CAVANAUGH: Thank you.

LOWE: Senator Holdcroft.

HOLDCROFT: Thank you, Chairman Lowe. I'm just curious, what years were you in Hawaii, Honolulu?

PAUL LECKBAND: I went there in 1993. I left in 1997, January of 1997. I would not recommend moving from Hawaii to Nebraska in January, but that's what I did.

HOLDCROFT: No, I was there stationed there from '99 to 2002. I was wondering why I hadn't seen you along the beach during our time there.

PAUL LECKBAND: Well, we did. We made sure we got our kids to the beach, and-- You were stationed in Hawaii? Where at?

HOLDCROFT: Yes. I was actually at Pearl Harbor, at the Makalapa Pac Fleet headquarters.

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PAUL LECKBAND: The, the second place we rented from our bedroom window, we looked out at Pearl Harbor, and--

HOLDCROFT: Beautiful place to live.

PAUL LECKBAND: A very somber place to visit.

HOLDCROFT: Yeah.

PAUL LECKBAND: Yeah.

HOLDCROFT: Well, thank you.

LOWE: I agree. Yes, Senator Raybould.

RAYBOULD: Thank you. Mr. Leckband for all the years of service with four terms. So-- and you mentioned casinos with the gambling. So how does that impact the Nebraska Commission on Problem Gambling? Does your workload increase, or the issues that you have to deal with increase? Is it more time consuming for all the appointees and the work that they do?

PAUL LECKBAND: You know, our major task is providing for the training, certification of therapists, and providing funding for them. They're the ones that I think are seeing an increase in the number of, of problem gamblers. As far as the commission goes, we spend a lot of time then making sure we, we spend the funds we're allowed wisely, very prudently. And then, we have people who-- on our commission who spend a lot of time in the certification process of the-- of the therapists. And that's a pretty rigorous process. I, I'm very good friends with a provider, and actually a member of my church. And so we get together and, and so I know the challenges that our providers face in providing for problem gamblers.

RAYBOULD: Thank you.

LOWE: Yes.

RAYBOULD: I have one more question. So, you know, with the casinos, I know that local municipalities like Lincoln, where I'm from, we've seen an increase of sales tax benefits, or bene-- taxing benefits come to us that we use for public safety and for property tax relief.

PAUL LECKBAND: Right.

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RAYBOULD: Did-- does the Nebraska Commission on Problem Gambling get an, an additional amount because of the casinos or--

_____: Yes.

PAUL LECKBAND: Yes.

RAYBOULD: Yes. And so all, all of that funding is designated primarily to he-- to help educate licensed mental health practitioners that--

PAUL LECKBAND: Right.

RAYBOULD: --deal exclusively with--

PAUL LECKBAND: Right.

RAYBOULD: --problem gamblers.

PAUL LECKBAND: And then-- and then we also work to publicize what we do with various different media, and make our-- make our services available. Gambling addiction is-- I'm not sure it's widely known or recognized as much as alcohol or drug addiction goes, but it's a very real addiction. People get addicted, and it becomes a huge issue in their lives, the lives of their loved ones.

RAYBOULD: Thank you very much.

PAUL LECKBAND: Yep.

LOWE: Thank you, Senator Raybould. Are there any other questions? Thank you, Mr. Leckband. And I've also been told that we do not have your financial documents recorded yet.

PAUL LECKBAND: OK, tell me exactly what those documents are. That's a disclosure, and--

LOWE: Yeah.

RAYBOULD: Yeah, there's a statement of financial interests.

LOWE: The, the C-1 form at-- on the Accountability--

PAUL LECKBAND: OK.

LOWE: Accountability and Disclosure.

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PAUL LECKBAND: That's something I can access online?

LOWE: Yes. The C-1 form.

PAUL LECKBAND: C-1 form. OK. All right. Thank you very much.

LOWE: Somebody didn't get the memo. OK, now we'll go to Todd Zohner? Did he-- You were just ringing yourself up.

TODD Zohner: I was, Todd Zohner, T-o-d-d Z-o-h-n-e-r.

LOWE: All right. Go ahead.

TODD Zohner: And I'm up for my third term on the Problem Gambling Commission. I'm a life-time resident of Nebraska. My only time that I was away from the state was when I was in the military. My children have all been raised here, grandchildren. My interest was sparked in, in problem gambling when my mother in law became a problem gambler. She has since passed away last year. She died broke. She had gambled in her life, to our best accounts, maybe \$2, \$2.5 million away. She died in the home of my sister in law, penniless. Gambling is a, a real issue. Elderly people are very prone to it. Young people are prone to it. So I feel that, again, this is my draw to it is, is because it was personal. But I feel that what we do is an important thing. I, I think gambling, for whatever, good or bad, we have, we have decided that we're going to have gambling in this state. We know statistically, and there's studies, that will place it between 2 and 5% of the people that walk into, into a casino will become problem gamblers. So we know that that's going to take place statistically. And I believe that we, we serve an, an important part in treating those, those people.

LOWE: Thank you very much. It's a-- it's an amazing figure of 2 to 5%. Are there any questions? Yes, Senator Holdcroft.

HOLDCROFT: Thank you, Chairman Lowe. So you were in the Army.

TODD Zohner: I-- yeah.

HOLDCROFT: Army, was it Army Intelligence?

TODD Zohner: Yes, I was.

HOLDCROFT: OK. Well, it's the Army.

TODD Zohner: Yeah.

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HOLDCROFT: I'm a Navy guy myself.

TODD ZOHNER: Army Intelligence may rank a little lower than, than others.

HOLDCROFT: So how many years in the Army?

TODD ZOHNER: Four.

HOLDCROFT: Four?

TODD ZOHNER: Four active.

HOLDCROFT: Thank you for your service.

TODD ZOHNER: Thank you.

HOLDCROFT: And now are you still-- Well, you went to Battle Creek, do you still live in Battle Creek or are you--

TODD ZOHNER: I live in rural Stanton County.

HOLDCROFT: OK. Whose is that? Who's your-- you know who your senator is?

TODD ZOHNER: He's from Columbus.

HOLDCROFT: Oh, that'd be Mike Moser, probably.

TODD ZOHNER: Mike Moser.

HOLDCROFT: Senator Moser. So. OK. Thank you very much.

LOWE: Thank you, Senator Holdcroft. Any other questions? And once again, we're missing your C-1 form, so if you could get that filled out, it's on the Accountability and Disclosure.

TODD ZOHNER: We're batting 100 on that.

LOWE: If I was a betting man, I would have said so, but I'm not. Thank you very much.

TODD ZOHNER: Thank you.

LOWE: Is there anybody here to testify in, in the proponent? Anybody here as an opponent? Anybody in the neutral? All right. That ends our

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Problem Gambling section. And next we'll go to the Electrical Board with Stephen Farrington. Good afternoon.

STEPHEN FARRINGTON: Good afternoon. Stephen Farrington, S-t-e-p-h-e-n F-a-r-r-i-n-g-t-o-n. Thanks for having me. I was born and raised here in Nebraska, graduated from University of Nebraska. I began my electrical career as an intern at Morrissey Engineering, and was hired on there full time, and I've been there now for about 22, 23 years, and a partner at the firm. And this will-- I'll be-- I'll be seeking my first term on the State Electrical Board.

LOWE: All right. Thank you. How long is the term on the Election [SIC] Board?

STEPHEN FARRINGTON: They're five years.

LOWE: OK. Are there any questions?

HOLDCROFT: I see he's got a C-1 in here.

LOWE: Yeah.

STEPHEN FARRINGTON: That's-- yes.

LOWE: Those Electrical Board Members.

STEPHEN FARRINGTON: My Board Director told me to do it, so.

LOWE: All right. All right. Seeing no questions. Thank you very much. Appreciate it.

STEPHEN FARRINGTON: Thank you, everybody.

LOWE: Next, we'll move on to the racing-- Oh, yeah. Are there any proponents for Stephen Farrington? Any opponents for Stephen Farrington? Anybody in the neutral? This ends time for our Electric Board portion. Next, we'll move on to State Raming-- Racing and Gaming Commission, with Helen Abbott Feller. Welcome.

HELEN ABBOTT FELLER: Good afternoon, Chairman Lowe, and members of the committee. My name is Helen Abbott Feller, last name is F like in football e-l-l-e-r. I am from Wisner, Nebraska. I grew up in western Nebraska, and I'm here to ask for confirmation to the State Racing and Gambling--

LOWE: Gaming.

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HELEN ABBOTT FELLER: --Gaming Board. And it's really handy to come behind these three guys. So, so thank you very much, and.

LOWE: All right. Where in western Nebraska are you from?

HELEN ABBOTT FELLER: I grew up, I went to high school in Alliance, and my-- we have a family ranch in-- north of Hyannis between-- on Highway 61 between Hyannis and Merriman. My husband and I breed cattle in Wisner by Norfolk, and so I go back and forth. I'm on my way to Gordon tonight.

LOWE: OK. It's a nice pretty drive this time of year.

HELEN ABBOTT FELLER: Yeah, it's a beautiful drive, highway, you know. My mother was from Scottsbluff, and the Frank, her name was-- she was a real Frank.

LOWE: All right. Are there any other questions? Yes, Senator Raybould.

RAYBOULD: Yes. Thank you so much for your willingness to serve on this committee. Will this be your first term and then what, what interested you in being on this committee?

HELEN ABBOTT FELLER: It's not my first term. It's actually-- I was appointed by Go-- Governor Heineman, and I've been on Racing, the Racing Commission for three terms. And then I was off, and I've been reappointed by Governor Pillen. I grew up in racing, pretty much. My dad raised horses, and I kind of grew up on the back side of Aksarben. We would go ba-- down to Kentucky, and we had a horse farm in Sarpy County that we spread and raised, and I syndicated thoroughbreds. And I met my husband, he kind of did the same thing in commercial cattle feeding, so then we kind of connected together. And with the demise of Aksarben, I sold that and, and then have continued on in a different part of horse race-- horses, showing horses with my kids and things like that. But I've always stayed connected to the racing industry, and to the trainers, and to the jockeys, and it's definitely a passion and a lifestyle. I am not a gambler. I am here for the sport, for the persistence and the patience and the hard work it teaches. Unfortunately, it is funded by gambling, but it is the only good gambling in my-- in my opinion, because it is not a game of chance. You can handicap, and it-- you have to teach that handicapping, and I think that's important with the gambling concerns that they, the three people just, just expressed. So it's-- you're not going to get rid of it. It's been in the state since 1940s, we're one of the first states

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that had parimutuel gambling, and it, it, it's when, when, when they asked for expanded gambling, I wasn't for expand-- expanded gambling, but it took so much from-- away from horse racing. You have a dollar, and the dollar needs to be spent on the farms and the veterinarians and all the things that come into raising horses. And so to do that and to compete, we did have to expand gambling to, to, to support that industry. And it's a big industry, and, and it was-- it's worth saving.

RAYBOULD: Yeah. Thank you very much.

LOWE: Thank you, Senator Raybould. Senator Holdcroft.

HOLDCROFT: Thank you, Chairman Lowe. Thank you for coming. So I noticed you, yeah, you had a degree in animal husbandry? No, animal--

HELEN ABBOTT FELLER: Animal science, from the university.

HOLDCROFT: --science. So what is your opinion of Nebraska's ability to expand racing beyond the six current licenses in the state?

HELEN ABBOTT FELLER: Well, I haven't been following it very closely. And I'm sorry that I was off this last four years, because there's so many changes that have been happening, and, and I'm very close to the rest of the commissioners. So when I was reappointed, I got lots of texts and support, saying glad you're-- glad you're back on. I think that -- To answer that question, easily and quickly, there's only so much racing and horses that can, that can support a track. And these tracks want to have simulcast, that's where they make their money. But that's not the-- that's not what was intended when this-- when, when we passed the gambling bill. And I think it's important that we, that we take the one-- the tracks that we have, they are the quality that people want to come, and they-- and they want to have the entertainment and the sport and keeping it, you know, healthy, and-- so I-- so I don't-- I don't-- I don't think there should be more tracks. I do think that western Nebraska, Ogallala, Scottsbluff are vying for a track out there. It's a quarter horse track that they're looking at. And I do think that that area could support something like that. I do think that that would be kind of a interesting pull into that part of the state. My heart is in western Nebraska. So, you know, it is something that I really would like to see Nebraska promote. I also have a-- do a beef business that with my family that I've kind of started. Nebraska beef is to the-- the Sandhills is to beef with Napa is to wine, and I think that there's a, a Napa trail, beef trail that

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we could do. And I think horse racing and some of the things that could add to that just keeps younger people involved. I mean, it's, it's work and it's, you know, it takes a lot to raise a nice horse and be competitive. And, and that's what they were bred and God made them to do.

HOLDCROFT: OK. And, you were a thoroughbred racer, racer, I mean thoroughbreds. And you mentioned quarter horses, is there a--

HELEN ABBOTT FELLER: I did both.

HOLDCROFT: You did both.

HELEN ABBOTT FELLER: I yeah. I, I barrel raced when I was in high school, and I-- and then my dad always was in thoroughbreds. And so, you know, I always went to Kentucky with him, and we had our business in Kentucky with it, but my kids showed quarter horses. So I have bred quarter horses and I have bred thoroughbreds. I haven't really ever bred a quarter horse to run. I always was-- we always bred thoroughbreds to run. But it's a-- it's a-- and it's a whole different kind of game, but not really, it's--

HOLDCROFT: OK. Thank you.

LOWE: Thank you, Senator Holdcroft. So you were on the Racing Commission before, and now you're appointed to the Racing and Gaming Commission. What do you see as the differences between the two?
[INAUDIBLE].

HELEN ABBOTT FELLER: Well, there's a lot more opportunity now that we have some money coming into the horse racing industry. And there's a lot more. When I was on the commission, we were having a hard time finding money to buy our vets, to do our, you know, to do the work that they needed to do our, or our stewards. And so we were always having to cut back. And I think the quality of racing will get much better with that additional money coming in to help run the kind of quality program that you need. It takes money, and if you don't have the money, then you just get the cheaper horses and the cheaper things going on, and, and, and it's hard to regulate. But when you have that kind of money to use to improve a sport, I think it's important that you keep the gambling at the tracks, because that's what it was intended to do. You know, it was intended to help the racing industry. So that's very, very much needs to be controlled. I'm always surprised that we can have the pickle cards and all these other things that are

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coming up. And they, you know, they're gambling. They're not game-- you know, they are game of chances. So I don't know how that kind of evolved the way it does, has. I mean, now in our little hometown, they can do, I don't know, some kind of, I don't, I don't do it, but they are, if it's nonprofit, they can do games of chances there. So it just is interesting how those have proliferated. And I think those could be problems as well. But to me, gambling is here, it was in the Bible, it's going to stay. But it can help an industry that relies on gambling, and that's to create the jobs, and the vets, and the hay, and the, and-- that that goes into raising quality horses.

LOWE: Right. I think you were referring to the games of skill.

HELEN ABBOTT FELLER: Yeah.

HOLDCROFT: OK.

HELEN ABBOTT FELLER: Yeah.

HOLDCROFT: Right. Thank you.

HELEN ABBOTT FELLER: Yeah.

LOWE: Are there any other questions from the committee?

HELEN ABBOTT FELLER: That was kind of a confusing answer.

LOWE: Seeing none. Thank you very much.

HELEN ABBOTT FELLER: Well, I, I'm excited to hopefully get confirmed and be back in the saddle to help again in the industry, it's, it's a great industry for the state.

LOWE: Thanks.

HELEN ABBOTT FELLER: Thank you.

LOWE: Thank you very much. That ends our State Racing and Gaming portion, and ends our committee hearing for the day. I appreciate everybody coming out and participating today, and your willingness to volunteer for the state of Nebraska. Thank you very much.