

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

General Affairs Committee
May 18, 2009

[CONFIRMATION]

The Committee on General Affairs met at 1:00 p.m. on Monday, May 18, 2009, in Room 1510 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on gubernatorial appointments. Senators present: Russ Karpisek, Chairperson; Kent Rogert, Vice Chairperson; Colby Coash; Tanya Cook; Merton "Cap" Dierks; Annette Dubas; Mike Friend; and Scott Price. Senators absent: None. []

RUSS KARPISEK: (Recorder malfunction) ...for the State Racing Commission. Ms. Beveridge, if you would like to approach and tell us a little bit about yourself and.
[CONFIRMATION]

JANELL BEVERIDGE: Well, thank you for having me today. My name is Janell Beveridge. I'm from Paxton, Nebraska. [CONFIRMATION]

SENATOR KARPISEK: Can you spell it for us? I'm sorry; your name.
[CONFIRMATION]

JANELL BEVERIDGE: Oh, J-a-n-e-l-l B-e-v-e-r-i-d-g-e. And I grew up in Gibbon, Nebraska, and became a teacher. And I moved to Paxton and married the banker and was in banking, and now I'm not. But I've been on the Racing Commission for several years, and I've enjoyed the position and will say that I've learned a lot from it. A little background on that. Growing up in Gibbon, my grandparents did have racehorses and so I saw a little bit about how you...what goes on in the back barns and how those...back when you can actually go back there without a badge, you know, the old days. So I have a little background with that. Otherwise, my family was in funeral homes and then I was a teacher and in banking. But let's see, what did I leave...born and raised in Nebraska. [CONFIRMATION]

SENATOR KARPISEK: Okay, thank you. Are there any questions? Senator Dierks.
[CONFIRMATION]

SENATOR DIERKS: Thank you, Mr. Chairman. And welcome to the party (laughter).
[CONFIRMATION]

JANELL BEVERIDGE: Thanks. [CONFIRMATION]

SENATOR DIERKS: I just am looking through your...this information sheet they sent up for you, and I see that you live in Paxton. There's a couple of young ladies that grew up right next door to me who are now Paxton residents. And I think one of them is in the insurance business, and the other one is doing some teaching. And their names were Wright at the time, and now it's O'Malley...Patty and Debbie O'Malley. Maybe it wasn't Paxton; maybe it's Sutherland. But anyway, they live in...close to your area.

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[CONFIRMATION]

JANELL BEVERIDGE: I recognize the name, and I think it is Sutherland, but...

[CONFIRMATION]

SENATOR DIERKS: Yeah. [CONFIRMATION]

JANELL BEVERIDGE: ...I substitute teach now, and I'm down there a lot, so, yeah.

[CONFIRMATION]

SENATOR DIERKS: These two girls entered the...they were great runners. They're not very big...little, tiny things, but they could run like...they ran the distances, and they would win just every place they went. They were...they would go one and two, one right behind the other. Great kids and they were good basketball players, by the way, too. Not very big, but they could dribble balls around most people and. [CONFIRMATION]

JANELL BEVERIDGE: Well, I was in coaching in Paxton, and I remember those names pretty well. [CONFIRMATION]

SENATOR DIERKS: Yeah. Well, they would have graduated from high school in '85. Yeah. [CONFIRMATION]

JANELL BEVERIDGE: And that's when I was coaching, so I probably coached against her them. [CONFIRMATION]

SENATOR DIERKS: Well, thier mother...when I first came to practice...I'm a veterinarian. When I first came to practice in Ewing, their mother was...ran my office, took care of my office, and that was back in the days when you had a central telephone system and a central office so we rang one ring to get the operator, two rings to get my office, and three rings to get my house. And if we were all gone, and I'd come back after being out on a call someplace, why it seemed like I'd no more get in the office and the phone would ring, and it was the central operator. She'd say, Cap, you had a call from such and such. You need to get out there right away. And she was just like another office staff, you know. [CONFIRMATION]

JANELL BEVERIDGE: Uh-huh. [CONFIRMATION]

SENATOR DIERKS: Interesting time. Well, thank you for your efforts. I...as a veterinarian, I go back to some of the early racing things in Nebraska, and we had a thoroughbred runner from Ewing who was very active in the racing things. His name is Jack Sisson. C.L. Sisson; they called him Jack, and we thought his middle name was gotcha...Jack Gotcha Sisson (laughter). In a different venue, I'll tell you some of those stories (laughter). I'm finished. [CONFIRMATION]

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SENATOR KARPISEK: All right, thank you, Senator Dierks. Senator Friend.
[CONFIRMATION]

SENATOR FRIEND: Thank you, Senator Karpisek. Janell, you've seen a lot...we were talking before, off the record, you've seen a lot and you've seen some changes in the racing industry. Are you...and we've heard a lot in this committee about the racing industry in Nebraska. I mean, are you optimistic? Are you pessimistic? Are you somewhere in between, and if you are one of those three things, can you tell me why, based on your experience for the future of racing in the state? [CONFIRMATION]

JANELL BEVERIDGE: And I'd have to start with, I've probably been through all the gamuts of that. When I first got on, that was when Ak-Sar-Ben was not going to function anymore, and that was major. And that would have...you know, they did get a track in Omaha to supplement the Omaha market which is needed for those tracks in the state. So that was kind of a down...a pessimistic time. And then it was optimistic, because the horsemen took over that and Atokad Downs that were struggling, so they put some backing behind that, so that was an optimistic move. And I would say now, it's probably neutral. The economy, of course, is going to keep a lot of people from attending or going, but I just have...maybe am...I just, I don't know, I don't know. I guess I'll have to watch, because I haven't lived through anything like this economic situation before the recession. But whether it affects...I'm not too sure it affects gambling. I think that's when the people go out, and they still spend the money thinking they can get lucky. But...or maybe they've decided...now, it's a lot of people bringing their family. I think Lincoln has a family night and everything, so maybe it's something they can do together and not go spend a whole lot. You know, you budget yourself with \$20 and go home. And you could probably make it last. But I think it's in a neutral position right now, and can ultimately keep going. We...I've just found out, when I've been on this commission, we are just...the people before the Legislature. They have a problem with...the steward makes a judgment and they don't like it; they appeal it to us. We make a decision; they don't like it, they bring it to the state. And we did have an issue with veterinarians here awhile back, and that just got resolved this last year, but it took about seven years.
[CONFIRMATION]

SENATOR DIERKS: Is that the deal where they were claiming that there was some treatment ahead of time that was causing...? [CONFIRMATION]

JANELL BEVERIDGE: Yes. There was the...it happened in Fonner, and there was a couple of veterinarians there that were sanctioned, and it was obvious, and we had the rule book. These are the amounts that are legal; these aren't. It wasn't anything that we arbitrarily decided. It's just...that's the job. You know, you broke the rule; here's the consequence. Well, didn't like that and decided to sue us separately and as an entity for seven years, waste the taxpayers' money. [CONFIRMATION]

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SENATOR DIERKS: Well, did that...you say you were sued separately. Was it a veterinarian then that sued you? [CONFIRMATION]

JANELL BEVERIDGE: They sued us...there's three of us on the commission. They sued us individually and as an entity, and then...but that was...that didn't hold... The other, our chairman, who is vital to this commission, Dennis Lee, he knows more about what's going on than anyone, I think, and it's kind of a turbulent...you know, we've turned over our executive secretary now, and we have a new commissioner in the second district that I'm not...don't know how long she wants to do it. But, I mean, maybe she will for a long time, but it's new, and it takes a couple...two or three years to figure...really understand it, so I'm glad Dennis Lee is still involved. But being an attorney, he knew that, well, that's just the way...that's procedure. That's what they do, and I'm like I don't want to be on this if we're going to get sued, you know (laugh). Let's just think about that, and he goes, well, just wait. And as he said, it turned out, but all we were doing was what we were signed on to do and swore to do and uphold the rule book. [CONFIRMATION]

SENATOR DIERKS: Yeah, he does a capital job. [CONFIRMATION]

JANELL BEVERIDGE: I officiate volleyball. This is off the side, but I officiate volleyball and have been a coach, so I'm all about rules. You know, if this is what it's supposed to be, that's the way it's supposed to be. Don't change those rules in the middle of the game for me because it's real hard to deal with so that's...I just have enjoyed doing it. I actually feel like I can contribute to it especially where one of our commissioners is new, and I like working...Denny and I work very well together. He explains things so well that if he's around, I can do this so. [CONFIRMATION]

SENATOR KARPISEK: Thank you, Senator Friend. Any other questions? [CONFIRMATION]

SENATOR DIERKS: And Senator Dierks for butting in. [CONFIRMATION]

SENATOR KARPISEK: I would just...I was going to ask the same question as Senator Friend did, because, you know, we've heard some pretty grim tales about the racing industry and. [CONFIRMATION]

JANELL BEVERIDGE: I think they're getting a handle on it. I think they're doing well. I think the handles, if I can...I have a meeting here in 45 minutes, and I could...I wish it was the other way around. I could have brought you all the things and showed you all the numbers. But you can get that at any time. But they seem to be up from last year. Fonner put in the event center. They're trying to have other events, you know. They're trying to promote it. And Fonner is the strongest track because it's the furthest from any

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other type of gambling, and that's why. But the gambling issue is, you know, all these other states have it, and they're taking all those dollars across the line, and the new generation...they want to pull the slots and lose it faster than they can possibly imagine. The older generation still liked to go and take 20 minutes to figure out which horse might win. And so, they just...you know, but the simulcast has helped. Live tracks, they don't...they might break even, live racing, but simulcast is what keeps it afloat, and those dollars...I've seen how it goes out into the tracks and then filters down to the winners and the jockeys and the purses, and then the people that sell them the hay and the grain and the ag. You know, everybody says, well, what do they do for the ag community? And so, I saw...I didn't know that either till I got on there, and it's pretty obvious the trickle-down is there. [CONFIRMATION]

SENATOR KARPISEK: Well, what do you think about State Fair Park, if we don't have some racing here in Lincoln? Are we going to...I mean, I guess my feeling is that that can really hurt. [CONFIRMATION]

JANELL BEVERIDGE: I would have to...I guess my...you know, I don't have all the...yes, I think you're right. It's exactly what happened in Omaha. They didn't have that market, and that was the most populated area, and the reason horsemen's put up a track to have three days of racing...you have to have live racing to have simulcasting. And the reason they did that is so that they could simulcast the rest of the year, and then all those people in Omaha that want to...that those dollars still, you know, a portion of it stays here. Especially now with traveling and the gas prices, and I don't think you're going to get in the car and go down to Fonner Park just like you used to. But I agree with you. I think it's...I think if horse racing is going to stay in the state, it needs to stay...be in Lincoln also, is my opinion. [CONFIRMATION]

SENATOR KARPISEK: Very good. Thank you. Any other questions? Seeing none, we will ask for any proponents of Ms. Beveridge. [CONFIRMATION]

JANELL BEVERIDGE: I knew you'd have your hand up. [CONFIRMATION]

CURT YOST: Do you really want me to come up there, Senator? [CONFIRMATION]

SENATOR KARPISEK: Well, it's up to you. I... [CONFIRMATION]

CURT YOST: It's a risk. (Laughter) [CONFIRMATION]

SENATOR FRIEND: I want him in the seat. (Laughter) [CONFIRMATION]

KURT YOST: I'll be happy to come up here. [CONFIRMATION]

SENATOR KARPISEK: I thought maybe that's why you were here but.

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[CONFIRMATION]

SENATOR KARPISEK: I am here because we happen to be friends and I'll share with you how that happens. [CONFIRMATION]

SENATOR KARPISEK: That would be nice of you then, Mr. Yost. [CONFIRMATION]

KURT YOST: Mr. Chairman, members of the General Affairs Committee, my name is Kurt, K-u-r-t Yost, Y-o-s-t, and I appear here today not as the president and CEO and registered lobbyist for the Nebraska Independent Community Bankers, but as a personal friend of Janell Beveridge's, and I am here, as you said, Mr. Chairman, as a proponent of her nomination and affirmation back on the commission. She says it was eight years ago, and I'm not sure what all you have in the way of background material on the lady. But she's a graduate in the teaching college from the University of Nebraska at Kearney. She was married. She did not tell you this. Maybe it's in there; maybe it's not. She met and married the banker whose family had been in the banking business in Paxton, Nebraska, an independent community bank for a long, long time. Her husband was a very good member of mine, and, unfortunately, and I'm not sure the exact year, but it was approximately 20 years ago, he was killed in a car accident outside of Roscoe, Nebraska, which is halfway between Paxton and Ogallala on Highway 30. A truck pulled out in front of him. That's another story, but she became a widow, a mother...a single mother, has a daughter who's, as she pointed out, a senior at the University of Nebraska at Kearney, and she proceeded to give up her...I think she even coached a championship team in volleyball down here for Paxton when she was coaching and teaching; gave that up to become a full-time mother/banker. And for years and years which is how I got to know her, she served on our board of directors, and very active, very supportive of our association through the years which is how I've gotten to know her. And my wife and I love to stop at Paxton on our way to Colorado and the mountains and have a good steak at Ole's and drink a couple of cold brews with the lady, and that's why I'm here. [CONFIRMATION]

SENATOR KARPISEK: Very good. Thank you, Mr. Yost. Any questions for Mr. Yost? [CONFIRMATION]

SENATOR DIERKS: I think he's protecting the beer and the steak (laughter). [CONFIRMATION]

SENATOR KARPISEK: That was my job. Thank you very much. Are there any other proponents for Ms. Beveridge? Seeing none,... [CONFIRMATION]

KURT YOST: Ms. Joan, did you get...I didn't sign the sheet. Do you need anything else from me? [CONFIRMATION]

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JOAN SNYDER: I'll get something from you. [CONFIRMATION]

KURT YOST: Thank you. [CONFIRMATION]

SENATOR KARPISEK: Do we have any opponents? Seeing none, anyone in a neutral capacity? Seeing none, we will close the hearing on Janell Beveridge for State Racing Commission. [CONFIRMATION]

Chairperson

Committee Clerk