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Transcriber's Office

Natural Resources Committee
January 20, 2017

[CONFIRMATION]

The Committee on Natural Resources met at 1:30 p.m. on Friday, January 20, 2017, in Room 1525 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on gubernatorial appointments. Senators present: Dan Hughes, Chairperson; Bruce Bostelman, Vice Chairperson; Joni Albrecht; Suzanne Geist; John McCollister; Dan Quick; and Lynne Walz. Senators absent: Rick Kolowski.

SENATOR HUGHES: Okay, I see it's 1:30 so I think we'll call our meeting to order. I'd like to welcome everybody to the Natural Resources Committee. I'm Senator Dan Hughes from Venango, Nebraska. I represent the 44th Legislative District and I serve as Chairman of this committee. The committee will hear testimony from three individuals who are coming up before us for appointment to the Game and Parks Commission, gubernatorial appointments. The committee members might come and go during the hearing because there are other hearings scheduled and there may be bills that may need to be introduced. Senator Kolowski will not be joining us today. He had a personal matter that he needed to attend to. I ask you to abide by the following procedures to better facilitate today's proceedings. Please silence or turn off your cell phones. Introducers will make initial statements and then there will be questions. I'll ask for if there are any proponents, opponents, or neutral testimony for you, and questions from the senators. When you come up to testify, please speak clearly into the microphone, tell us your name, and please spell your first and last name to ensure we get it for the record. We will not be using the light system today. There will be no displays of support or opposition from the gallery to a testifier. With that, I'll introduce the...or I'll have members of the committee introduce themselves beginning on my left. [CONFIRMATION]

SENATOR GEIST: Good afternoon. I'm Suzanne Geist. I represent the 25th District, which is here in Lincoln. [CONFIRMATION]

SENATOR QUICK: I'm Senator Dan Quick. I'm from Grand Island and I represent District 35. [CONFIRMATION]

SENATOR WALZ: I'm Senator Lynne Walz and I represent District 15, which is all of Dodge County. [CONFIRMATION]

SENATOR HUGHES: And on my far right. [CONFIRMATION]

SENATOR ALBRECHT: Hi. I'm Joni Albrecht. I'm from District 17, Wayne, Thurston, and Dakota Counties. Thanks for being here. [CONFIRMATION]

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SENATOR McCOLLISTER: John McCollister, District 20, which is central Omaha.
[CONFIRMATION]

SENATOR BOSTELMAN: Senator Bruce Bostelman, District 23, which is Saunders, Butler, and most of Colfax Counties. [CONFIRMATION]

SENATOR HUGHES: Okay. To my left is committee counsel, Laurie Lage, and to my far right is our committee clerk, Mandy Mizerski. We also have pages serving us today. Heather Bentley from Miller, Nebraska, and she is a freshman at UNL studying agriculture and economics, and also Lee-Ann Sims of Lincoln and she's a sophomore at UNL studying political science and global studies. Thank you for being here. With that, looking at our agenda we have the reappointment of Patrick Berggren. Welcome. [CONFIRMATION]

PATRICK BERGGREN: (Exhibit 1) Thank you. Thank you for having me. My name is Patrick Berggren, P-a-t-r-i-c-k B-e-r-g-g-r-e-n. [CONFIRMATION]

SENATOR HUGHES: If you'd like, just tell us a little bit of your background and that type of things, please. [CONFIRMATION]

PATRICK BERGGREN: I was born and raised in Broken Bow, Nebraska. So if you don't know where that is, we're right smack in the middle of the state, an hour from basically anywhere, three hours from airports, and good stuff. But came from a hunting and fishing family. My parents are business owners and grew up, stayed in Broken Bow, went to Creighton University, got my degree in finance in 2000, and married my wife. She's from Broken Bow too. Her name is Tristan. High school sweethearts and now we've got a 10-year-old, Kaitlyn, and 7-year-old, Caleb. One of each to keep us busy and currently at the dentist right now. So I'm not sure who is having more fun. (Laughter) We'll see. Nobody likes a trip to the dentist, but they're coming in town tonight for a little swimming and relaxation, but we spend a lot of time at Johnson Lake and running around the Sandhills and enjoying the outdoors. We travel basically as far as the car will take us, trips to Colorado. We don't leave the state too much, but I have some spoiled kids, well-loved, so it's a lot of fun. It's been entertaining. I am reappointed. Unfortunately, I took dad's position. You know he passed away last February and dad and I were in business together. He started his company in 1973 and we have seven employees. Our shortest tenured employee is three years. So in the construction business I think that's amazing having no turnover in a, maybe...I don't know, undereducated labor pool. But we strive to do good work. We have a good reputation in central Nebraska. We travel about 90 miles each way from Broken Bow, so I enjoy my job. My wife and I have been back in central Nebraska for 12 years. Spent some time in Omaha after we got married and it's a lot of fun. We sure enjoy it. Looking forward to continuing with the Game and Parks. I know last year I learned a bunch. I had always kind of rode dad's

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coattails and find out information here and there and maybe got what I wanted with the duck seasons, here and there. (Laughter) But it's interesting. It's a...I think they're leaders in a lot of areas around the nation as far as studies and research and the stuff that nobody sees, but it's kind of amazing what all makes that place tick and go. And being around the staff is, you know...they're all Nebraskans. They're good people. You know, it's 95 percent of us are good apples and we just ignore the other 5 percent, so. But I just appreciate your time and any questions you might have for me. [CONFIRMATION]

SENATOR HUGHES: Okay. Thank you, Mr. Berggren. Are there questions? Yes, Senator Bostelman. [CONFIRMATION]

SENATOR BOSTELMAN: Thank you, Mr. Chairman. Mr. Berggren, could you tell me what your thought is as far as the rule of Game and Parks in our law enforcement side and in establishing our laws on game and fishing, those type of areas? [CONFIRMATION]

PATRICK BERGGREN: Sure. Well, you know, as far as our law enforcement goes, they're really kind of the face of our organization. I mean they're probably the people that everyone thinks about when it comes to the Game and Parks, you know. And they have a job, a pretty dangerous job, you know. Everyone that they run into is either armed or, you know, you just never know. Nobody really likes to see a game warden, but it's a tough job. We have bad people that do bad things and hopefully, you know, they do their best to catch the offenders. And then it's up to the court systems too to enforce. There's a lot of times that we probably don't agree with the amount of fines or what's been levied against the perpetrators, but I'd like to see more law enforcement. I know they've been adding one or two more. They've been interviewing this last week. It's a tough job. I think it's...it would be...it's...they have to have a lot of patience. You know, they have to be good listeners. A lot of the young people, I'm sure, don't have a lot of life experiences to deal with high stress, you know. It would be a tough, tough job. But, you know, the ones we have are phenomenal. I went to...they had an appreciation dinner for them in November or December, you know, 45-50 law enforcement guys and get to talk to them, hearing their stories. And we're really lucky to have the guys that we do. You know, we're looking to add more, hopefully, you know, just find the right fits. [CONFIRMATION]

SENATOR BOSTELMAN: Thank you. [CONFIRMATION]

SENATOR HUGHES: Okay. Any other questions for Mr. Berggren? Okay. Thank you very much. Appreciate you coming in. [CONFIRMATION]

PATRICK BERGGREN: Thank you. Have a good weekend. [CONFIRMATION]

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SENATOR HUGHES: Are there any proponents wishing to testify on Mr. Berggren's behalf? You can sit down. I don't want you to intimidate anybody. [CONFIRMATION]

PATRICK BERGGREN: Sure. [CONFIRMATION]

SENATOR HUGHES: No, we're done with you. (Laughter) Any opponents to his confirmation? Anybody wishing to offer neutral testimony? Seeing none, that will close the hearing for Mr. Patrick Berggren, appointment to the Nebraska Game and Parks Commission. And we'll ask Mr. Rick Brandt to come up. He is our second on our list of appointees to the Natural Resource Commission. So welcome, Mr. Brandt. We appreciate your coming and tell us a little bit about yourself. [CONFIRMATION]

HENRY RICK BRANDT: (Exhibit 1) Great to be here. Thank you. Henry Rick Brandt. H-e-n-r-y, Rick, Brandt, B-r-a-n-d-t. Nebraska native. I was born in Beatrice on a farm. Spent most of my high school under graduate in Beatrice. Moved to Lincoln. My dad was the manager of the Nebraska State Fair here in Lincoln for 25 years, and I've got great footsteps to try to match through my life. Wonderful man. I got my undergraduate degree from the University of Nebraska in wildlife management and music. I got my master's degree from Hartt School of Music in Connecticut and an artist diploma from Julliard in New York City. I sang opera professionally for seven to eight years. Didn't like it. Quit, moved to the Sierra's, Lake Tahoe. Was a guide in the Sierra's for a packer. I bought a pack station in Wisdom, Montana. I packed for 12...8 to 12 years in the Big Hole and the Beartooth Absaroka and North Absaroka Wilderness in Montana. Couldn't make enough money so I came back to Nebraska, worked for a construction company. Met my wonderful wife, Sharon, and we ended up starting our own business, Brandt Excavating, which I've been the president of now, and we've been in business for 23 years here in Lincoln. I guess that kind of tells the whole story right there. [CONFIRMATION]

SENATOR HUGHES: Okay. [CONFIRMATION]

HENRY RICK BRANDT: I love Game and Parks. I guess I need to say something about that. The last 8 years I've been tracking bighorn sheep for Game and Parks with my mules in Fort Robinson, around Harrison, and also around Scottsbluff. And summertime I'll spend a couple of weeks in May tracking and seeing the babies and then again in the summer and then once in the fall. And then I help guide the hunts. And that's how I got acquainted with the great people at Game and Parks. Inspirational. [CONFIRMATION]

SENATOR HUGHES: Okay. Are there questions for Mr. Brandt? [CONFIRMATION]

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HENRY RICK BRANDT: Yes, sir. [CONFIRMATION]

SENATOR HUGHES: Senator McCollister. [CONFIRMATION]

SENATOR McCOLLISTER: Thank you, Mr. Chairman. Are the herds increasing or...what can you tell us? [CONFIRMATION]

HENRY RICK BRANDT: It's not good right now. We lost all of our babies in the Crawford area, Fort Robinson, and also up by Harrison. The herd at Scottsbluff is doing a little better, but it's the pasteurella and pneumonia. [CONFIRMATION]

SENATOR McCOLLISTER: How large is the herd? [CONFIRMATION]

HENRY RICK BRANDT: We're about 300-and-some strong right now. [CONFIRMATION]

SENATOR McCOLLISTER: Okay. [CONFIRMATION]

HENRY RICK BRANDT: And we have to be thankful for Scottsbluff. They're doing...they're starting a bunch of research projects this winter now to track when the babies are born so that we can keep track of them maybe a little better this year. [CONFIRMATION]

SENATOR McCOLLISTER: Any comment on the mountain lion population?
[CONFIRMATION]

HENRY RICK BRANDT: Not really. We're doing studies right now and it will help us a lot in the future to find out, you know, where they are, how many there are, and where they're traveling. But it's, I guess, maybe a year away at least before we really know a lot more.
[CONFIRMATION]

SENATOR McCOLLISTER: Well, thank you, Mr. Brandt, and thank you for applying.
[CONFIRMATION]

HENRY RICK BRANDT: I can't wait. (Laughter) [CONFIRMATION]

SENATOR HUGHES: Other questions for Mr. Brandt? I've got a couple, seeing no other. What does the Hungarian Horse of America National Board do? [CONFIRMATION]

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HENRY RICK BRANDT: Oh, the Hungarian Horse originated...it's about as old as the thoroughbred and it's a thoroughbred cross with a workhorse cross and a Arab cross, and Genghis Khan started them and they used them as a war horse. Huge horse. Our horses are probably...they average, oh, 16 hands probably. Huge nostrils, smart. They're a three-day event horses. My wife, Sharon, raises them. We have a stallion. [CONFIRMATION]

SENATOR HUGHES: Okay. [CONFIRMATION]

HENRY RICK BRANDT: And we've got a board. There's probably not very many left anymore, I'd say maybe 500 head. Most of them are on the West Coast, a few on the East Coast. [CONFIRMATION]

SENATOR HUGHES: What...I guess what do you hope to accomplish during your term on the Game and Parks Commission? Do you have a passion in any one area that you want to provide direction to the people at the Commission? [CONFIRMATION]

HENRY RICK BRANDT: Oh, yes. Yes, I do. A quick short story. My wife and I were riding...she was on Buttermilk and I was on Tracks (phonetic), two mules, and we were up in the upper Lamar Valley at Yellowstone riding around all day and all of a sudden we hear this elk bugle. And we were watching a herd of maybe 20 cows with a big bull and the bugle came from down below us in the Lamar River. And we're going, oh, oh, and the bull that was with the cows looks over at us and starts charging us. And then up out of the bottom comes this other big bull and within a hundred yards, right in front of us, they start fighting. And my wife is just in awe and we get on...she gets on Buttermilk and I get on Tracks (phonetic) and we're sitting there getting ready to run, and of course the big bull beats the little bull and the big bull goes back and takes over the cows. And so we turn around and we're leaving, and we said, God, this has got to be the greatest day in our lives that we've ever seen. And we get to the edge of the hill and we're starting down into the Lamar and we look out and see the vast Lamar Valley in front of us where the river comes out of the canyon and there's a herd of buffalo. And we looked at each other and we said--I get all shaky when I think about this--and we said, you know, this is something that we have to save and we have to go back to Nebraska and somehow, some day, we have to be able to pass this on to our children and our children's children. Awesome. And we have that same thing here in Nebraska out west. And it's something that every one of us has to work hard to keep. I got carried away. [CONFIRMATION]

SENATOR HUGHES: I like your enthusiasm. Any other questions for Mr. Brandt? Seeing none, thank you for coming. Appreciate that. [CONFIRMATION]

HENRY RICK BRANDT: Thank you. [CONFIRMATION]

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SENATOR HUGHES: Any proponents who wish to speak for Mr. Brandt? Any opponents? Any neutral testimony? Okay. That will conclude our hearing for Mr. Brandt for Nebraska Game and Parks Commission and we will open it for Mr. James Ernst. Welcome. [CONFIRMATION]

JAMES ERNST: (Exhibit 1) Yes, and thank you all for this opportunity. My name is James Ernst. I'm from Columbus, Nebraska. J-a-m-e-s E-r-n-s-t. I'm a native Nebraskan, born in Columbus. I was raised there. Went to high school there, went to University of Nebraska. I, too, married a lady that I graduated with and although she went to Butler. (Laughter) She didn't quite understand, but anyway after the university then we got married and moved to Iowa for about two and a half years, Mason City, Iowa. Came back here, got in the car business with my father and he...we were together probably 18 years and then he passed away. And then my brother was in with me and then, unfortunately younger than I am, and he passed away. But I have a son in it now that basically is running it, and been there a long, long time. Enjoy it. We have a Toyota dealership and a General Motors dealership and they're side by side. But anyway, I grew up in a hunting family. My uncle, my dad, everybody on the Platte River, had a cabin down by Duncan and spent a lot of time out there probably from the time I was seven or eight years old and they'd take me out in the blind and I just grew up with it. So I love it and my kids all love it. My wife hunts with me, has for many years, and we really enjoy those things together particularly deer or turkey. She doesn't particularly like duck hunting, which is my passion. But anyway something we do together and we really enjoy and we've traveled and done some of these things. Our children are kind of...some are in California and some are here and we have 18 grandkids. But most of them like to hunt so it keeps me busy. But I was so excited about getting on to this Commission. It's something...I've been...I've always liked conservation work and that sort of thing. I was with Ducks Unlimited. I was state chairman here for four years with Ducks Unlimited and then I was the regional vice president for Nebraska, South Dakota, and North Dakota for four years. And so I have done some of those things and just a lot of other local things. But it's just something I like, and I think part of the mission we have is to pass these things on to future generations, so. You know if we don't take care of it and aren't good stewards with our natural resources and stuff, you know, that would be terrible. And so we need to do that. And I like all wildlife. We feed the birds. We go birdwatching. I mean, we just like it all. And we live on a lake by Columbus so we have the opportunity there to see a lot of different things. And, in fact, I was just telling them last Sunday, we were sitting in our kitchen watching out and two white-tailed deer walked across the ice in front of us and we are in the city limits, so that's a good thing. But, yeah, this opportunity is great and I would serve it to the best of my ability and work hard to achieve the things that need to be achieved and give it my all. [CONFIRMATION]

SENATOR HUGHES: Okay. Questions for Mr. Ernst? Yes, Senator Albrecht.
[CONFIRMATION]

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SENATOR ALBRECHT: I just have a real simple question. You were in the automobile business and you had time to hunt? [CONFIRMATION]

JAMES ERNST: Yes, I do. (Laughter) That's called priority. [CONFIRMATION]

SENATOR ALBRECHT: Because I know you put a lot of hours in. [CONFIRMATION]

JAMES ERNST: Yes, we do. And there was many years, and luckily, like I said, my brother was there and we kind of switched off. He also really enjoyed--he was with the Nature Conservancy--and really our whole families would. But we always kind of switched off and on and with the kids and now my one son is there and I get to spend more time doing that. But I took off the time anyway, so. [CONFIRMATION]

SENATOR ALBRECHT: Good for you. [CONFIRMATION]

JAMES ERNST: You have to have some priority. [CONFIRMATION]

SENATOR ALBRECHT: That's right. [CONFIRMATION]

SENATOR HUGHES: Okay. Senator Bostelman, do you have a question? [CONFIRMATION]

SENATOR BOSTELMAN: Thank you, Mr. Chairman. We've heard a lot about the game side of the house, you know the wildlife side of the house. Could you talk a little bit about if you have any ideas or thoughts on our parks and recreation side on our existing facilities, or are there some new things that you would like to see worked in there? [CONFIRMATION]

JAMES ERNST: Yeah, you know it's funny that you asked because we also camp. We pull a camper and go out all over. And I think parks are so important, whether there's parks or trails or splash pad, whatever we do in communities around for that community and for the state and all are...we've got a wonderful park system. And if you haven't been there, go to Ponca sometime. It's just unbelievable. But anyway, they've done a great job, so I hope I can help carry this on. But no, I'm as interested in that as I am the hunting aspect of it. Absolutely. There's people that maybe don't want to hunt, they just like to take their family, go out to these places, enjoy the outdoors, absolutely. That's very, very important. [CONFIRMATION]

SENATOR BOSTELMAN: Thank you, sir. [CONFIRMATION]

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SENATOR HUGHES: Okay. Any other questions? I just have one. My understanding this morning was probably your first commissioner...your first meeting as a commissioner?
[CONFIRMATION]

JAMES ERNST: That's correct. Yes, that is correct. [CONFIRMATION]

SENATOR HUGHES: I'm sure you talked about the state's budget shortfall. Can you shed any light on how the Commission is looking at handling the reduced revenue that may be coming from the state to support any Game and Parks? [CONFIRMATION]

JAMES ERNST: I can't answer that completely. I know they're working on it. We have to address that. You know, they have raised some of the rates to get into parks and do some of these things which we need. And it's been a long time since they've done that. But I think...like I said our parks are great. We need to sell that. No different than in my business, we need to get this out and they do a very good job of getting to the public, and communications and this is what we have to offer. And, you know, just go down to Schramm or go down to Mahoney or wherever out west, there's some really great things. Being a newbie, I don't have the background to answer that the way I'd like to. But all I know is I would work hard to make it possible so that it continues to expand and continues to grow and create the possibility for our people in Nebraska. And also from out of state, getting out-of-state dollars in here. When we have a good park system and good things to do, that's on a different thing. It draws people in whether it's hunting, fishing, parks, and it brings dollars to the state so, which is good. [CONFIRMATION]

SENATOR HUGHES: Okay. Thank you. Any other questions for Mr. Ernst? Seeing none, thank you, Mr. Ernst, for coming. [CONFIRMATION]

JAMES ERNST: Thank you all. I appreciate the opportunity to have visited with you.
[CONFIRMATION]

SENATOR HUGHES: Okay. Are there any proponents for Mr. Ernst's appointment? Any opponents? Any neutral? Okay. Seeing none, that will close our hearing for James Ernst, Nebraska Game and Parks Commission. And that will conclude our hearing today.