

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Agriculture Committee April 10, 2024  
Rough Draft

**HALLORAN:** Good afternoon. I'm going to do this without a script. This is the Agriculture Committee, which I'm a proud chairman of the most important committee in the Legislature just so everybody knows. This is your opportunity for the public to participate in, in legislative bills and confirmations, which is what we're doing today is a confirmation. I want to start off by having the committee introduce themselves, starting with Senator Hughes.

**HUGHES:** Thank you, Chairman. It's Jana Hughes, District 24: Seward, York, Polk and a little bit of Butler County.

**IBACH:** Teresa Ibach, District 44, which is 8 counties in southwest Nebraska.

**HALLORAN:** Rick.

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

**RIEPE:** Merve Riepe. District 12, which is Omaha and the little town of Ralston.

**HANSEN:** Ben Hansen, District 16, which is Washington, Burt, Cuming and part of Stanton Counties.

**HALLORAN:** To my right is Rick Leonard, committee analyst. To my left is Payton Coulter, committee clerk. I cover District 33, which is Adams County and Phelps County. So with that, we shall begin with the singular most important confirmation we have today. So if you would like to join us. So you know-- you know, this is not your first rodeo or at least you've been around this enough to know. I mean, this is your opportunity to have us ask a few questions hopefully. Give us what you want to give us about yourself and Introduce yourself.

**BRENDA MASEK:** OK. Thank you, Senator Halloran. Agriculture Committee, thank you for seeing me. My name is Brenda Masek. Do you need me to spell that?

**HALLORAN:** We got it.

**BRENDA MASEK:** B-r-e-n-d-a M-a-s-e-k. Yes, it is not phonetically pronounced. I am here today to have a confirmation hearing from-- because Governor Pillen has appointed me to the Brand Committee of Nebraska. I am a third generation rancher from-- my, my ranch sits in the southeast corner of Cherry County. Gives you a perspective of

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where I came from. I drove here this morning. I've been up since 4. I'll try not to fumble my words. But anyway, I have been an advocate of agriculture for some time. I think it started probably back with FFA and 4-H back that long ago. And my parents have instilled in me the importance of community and agriculture and small communities and different segments of the-- of the cattle business and that make up what economic engine runs this state. I am very passionate about the brand inspection area in Nebraska. And that is why I have applied for this position. Some may call me a masochist, but I, I am that passionate about it. And they say, what is the quote? If you want something done, ask a busy person. And I guess that's, that's what I'm doing, because I have a lot to do with managing and running my own operation. But I, I am very passionate about this, and I have-- I have done quite a bit of public service. As most of you know, I was, was past president of the Nebraska Cattlemen on the state organization and the local and even the junior level clear back many, many years ago. And with that, I guess I will have you guys ask me questions.

**HALLORAN:** OK. Questions? Senator Holdcroft.

**HOLDCROFT:** Thank you, Chairman Halloran. Senator Ibach thinks we should be a no-brand state. What do you--

**HUGHES:** She told me that too.

**IBACH:** I have bus marks across my forehead.

**HOLDCROFT:** What do you think about that?

**BRENDA MASEK:** I would-- I would have to disagree with her on that. I think we should get together and discuss it but-- if she truly feels that way. But it, it is very-- and over the past few years, it's-- I, I very much tried to educate senators and people in the non-- the part of the state that isn't under-- isn't under inspection. It's, it's very important to us when you have these, these big pastures and these big acres. And I've had a calf, oh, 2 years ago, I had a little calf come into my-- into my herd. And we tried, tried, tried to find, you know, I had one brand inspector look at it. And, and this little guy he robbed off some calves all summer. And finally about weaning time, we got him in and and we kind of-- we shaved the hair, we cut the hair, and we got another picture. That little guy had come about 4 miles across the hills in May. And if we wouldn't have that registered brand and that brand section and these-- and these brand officials, that calf would have never got back to who he belonged to. And this

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is-- that's, that's one recent example. I have an example that I always use. Back when I was-- I was in grade school and I went to a country grade school, and we had-- we had everybody in the community knew that we had our Christmas program that night. And so everybody along our road, most everybody had young kids in school. And they, they went to this country school. And our next door neighbor the next morning, there were like 150 cows missing from his pasture. And there were tracks in there where they had brought in portable chutes, portable alleyways and trucks and stole those cattle. And the gentleman that owned it, they, they made enough noise. They, they had all the inspectors out there and they had helicopters flying around. And about, well, probably less than a week later, in the middle of the night, those cows showed back up because there was so much pressure on finding those. And there's a lot of times that I have-- I have even had them. They've been in my herd and I've sold cattle. And at the livestock market, the, the brand inspectors have said, hey, you've got one of Dave Rogers' [PHONETIC] calves, who's my next door neighbor. And I-- it is we have, we have-- I don't want to sound like we're Montana, but we have big country out there. We have stuff that happens and there are dishonest people. And we need accountability, and we need a way to track that and to show our ownership.

**HOLDCROFT:** OK. So it's primarily because of the big open spaces in western Nebraska.

**BRENDA MASEK:** Yes.

**HOLDCROFT:** So what about the fees, though? I understand-- and I-- I'm not sure where this information came from, but when you-- when you move cattle from one location, say, to a different location, you get your, your brand inspector out, you pay a \$1 fee per-- that's not true?

**BRENDA MASEK:** Sorry, I didn't mean to interrupt, but no.

**HOLDCROFT:** But my understanding was--

**BRENDA MASEK:** There is a fee but yet--

**HOLDCROFT:** The fee.

**BRENDA MASEK:** --is 85 cents. Yeah, 85 cents.

**HOLDCROFT:** 85 cents to load them on, and then another 85 cents to load them off.

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**BRENDA MASEK:** That's only if you go across the line or if you go across state lines.

**HOLDCROFT:** Across which line, across the brand?

**BRENDA MASEK:** Across the brand inspection line, that one that hits, that goes the two thirds of the state.

**HOLDCROFT:** Right.

**BRENDA MASEK:** If you go across that line, yes. But if you go from--

**HOLDCROFT:** Do you have a branding inspector on the-- in the no-brand area do that?

**BRENDA MASEK:** Pardon me?

**HOLDCROFT:** So my, my understanding was you have a-- you have a brand inspector there, correct, when you load them.

**BRENDA MASEK:** Yeah, you load them from my place.

**HOLDCROFT:** Right. And you take them across the line, do you have a brand inspector at the other end--

**BRENDA MASEK:** No.

**HOLDCROFT:** --as you're taking them off?

**BRENDA MASEK:** No.

**HOLDCROFT:** So how do you--

**BRENDA MASEK:** When they go on.

**HOLDCROFT:** How do you assess the, the fee then at that point?

**BRENDA MASEK:** When, when, say, I, I, I load cattle up and I'm selling them to someone who is on the eastern side of the brand line.

**HOLDCROFT:** OK.

**BRENDA MASEK:** I have the brand inspector when they go on the truck and the seller pays the inspection. And so somebody has purchased them over on that side. They-- that that's that-- they, they-- that truck,

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they have the brand inspection sheet with them. And then they're theirs. They don't have to be inspected once they're over there.

**HOLDCROFT:** OK. Thank you.

**HALLORAN:** Senator Riepe.

**RIEPE:** Thank you. Thank you for being here. How does it work that you have your brand on your cattle and you sell them to me and I have the branding? I'm wondering, how do I place my brand in relation to your existing brand? Because there's no way to remove your brand. I mean, is there a date on it or how? Educate me.

**BRENDA MASEK:** OK. Sure. Thank you for the question. There's different ways. OK. When you-- when you buy a brand, you have a place and a side. So I own-- I own the left shoulder rib and hip of a bovine animal and so I can brand in any of those. But your license has to specify. It might just be the shoulder. It just might be the rib. It just might be the hip. And there's, there's enough room, especially if you're buying an adult animal, to say that the hip is the most --the most popular. It's the-- it's just the most efficient

**RIEPE:** [INAUDIBLE] on TV.

**BRENDA MASEK:** Pardon?

**RIEPE:** That's what we see on TV.

**BRENDA MASEK:** You-- I mean, a lot of people. I, I tend to-- like we're getting ready to, to, to brand our first bunch of calves Saturday. We're going to go low on the hip. And when they get to be older and their, their hip is more developed. So, like, when you're talking breeding stock and stuff, there's room on top of the-- of the top part of the hip. You can brand up there. Or like in my case, like I say, I've got all 3 places. If I-- if I buy cattle that are branded on the hip, I'll brand on the rib.

**RIEPE:** Now, as a brand new board or on this committee, would you-- does your committee then designate which order they would have or location?

**BRENDA MASEK:** It has to do with the application. I mean, if you can-- you can apply for this-- for such, you know, X brand and they will-- the, the-- they, they will go through and see if any of your neighbors in your area have that brand or something similar to it in the same

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place. Well, then you're not going to get it registered. So it has to do with your availability plus what you desire. And that's one of the things that the Brand Committee does is they've got to come to a compromise for the people that, that-- what we can do, how we can best serve and represent, and have those cattle, specifically their owner, specified.

**RIEPE:** In the age of technology, do you see branding [INAUDIBLE] into the future for a long period of time?

**BRENDA MASEK:** Pardon me?

**RIEPE:** Do you see branding, given all the technology with barcodes and everything else, going into the future? I know I see a lot of cattle that have numbers on them.

**BRENDA MASEK:** Yes, I do. I mean, I think that it's going to-- hot and cold brands are going to-- are going to be with us, for a lot-- a lot of different reasons, whether it's those are our trademarks as, as-- like I'm third generation and my brand goes back to my grandfather. It can be traced back to, like the 1900s in my-- in my family's name, which was Bestal, [PHONETIC] not Masek. And it's, it's a pride in ownership. It's a-- it's a-- it's your monogram. It's your trademark. But even past that, if you don't-- you don't consider the sentimental value, there's just a lot of value. You can-- you can cut out a tag. And I, I'm all for looking in the future for, for the EIDs plus the retinal scans, the nose prints, the stuff-- that is fabulous that we have that stuff through the last bill that went through the Legislature. That is great that it's there for the future use.

**RIEPE:** OK. May I ask one more question?

**HALLORAN:** Sure.

**RIEPE:** You mentioned cold brand. How, how--

**BRENDA MASEK:** You, you freeze brand with liquid nitrogen or dry ice.

**RIEPE:** So it's stone.

**BRENDA MASEK:** And it-- and it, it, it makes their hair white. It makes hair follicles grow white hair.

**RIEPE:** Oh, OK.

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**BRENDA MASEK:** They do that a lot. Most of the people, excuse me, just another-- most of the people that do it in my-- in my part of the country do it for year brands, like, they want to know what year that-- how old that cow was. They'll put like a 2 or 3 or 4 on their shoulder so they always know what year she was born.

**RIEPE:** OK. Thank you. Thank you.

**HALLORAN:** Thank you, Senator Riepe. Senator Hughes.

**HUGHES:** Thank you, Chairman. Thanks for coming in, Brenda. So there are-- I mean, when you're not-- there's large pastures that have many cattle that are not in the brand area also. And so they're not branding. Is it, I mean, and, and I think you were maybe alluding to this with Senator Riepe. Do you think there's modern-- modernization in the future with some of these other things? Because there are people that don't want to brand and they somehow manage and, and they're in open pastures and cattle sometimes get mixed or whatever and seem to manage it. I mean, is that kind of a conversation that'll just be kind of ongoing the next whenever that?

**BRENDA MASEK:** Oh, there's always going to be the debate between, between brand all state, no brand in all state.

**HUGHES:** Right.

**BRENDA MASEK:** It's-- I don't see it ever going away. I-- in in in-- And my peers are very like, why can't it be statewide? And I'm like, well, unfortunately I think we have a better chance of losing it if we do have it all state.

**HUGHES:** Yeah.

**BRENDA MASEK:** If-- and they're like, well, what can we do? I says-- I-- this is-- this is my fantasy theory. If I could get that Delorean from Back to the Future and go back to 1941 and fix this, I would. But they did this in 1941 that they put this line in.

**HUGHES:** Oh, is that right? That's when they put the line in. What's the reason for the line being where it is?

**BRENDA MASEK:** I, I wasn't-- I wasn't in the conversation in 1941 so.

**HUGHES:** That would be interesting.

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**BRENDA MASEK:** It was just where they decided to bring it.

**HUGHES:** Yeah. I'm with you, though. You get [INAUDIBLE]

**BRENDA MASEK:** And South Dakota has the same problem we do. They've got a-- they've got a river that, you know.

**HUGHES:** [INAUDIBLE]

**BRENDA MASEK:** Yeah. And they have lots of the same debates that Nebraska does on a lot of things when you go west or east of the river.

**HUGHES:** Because it's a nostalgia thing, too, right?

**BRENDA MASEK:** Yes.

**HUGHES:** So interesting. OK. Thank you.

**HALLORAN:** Thank you, Senator Hughes. Any further questions?

**IBACH:** I'll ask one.

**HALLORAN:** Senator Ibach.

**IBACH:** Thank you very much, Mr. Chairman. I was looking over some of your transcripts from your past testimony, just to see, you know, where you-- some of your thought process over the last few years. And you do talk about modernization in Brand Committee. Do you have any thoughts on where in the last few years we've come as far as modernizing or do you have any thoughts going forward?

**BRENDA MASEK:** Oh, I think that we did. And I-- and I'm sorry, I misspoke. What was the bill that was-- that was the last bill we passed that put the EIDs and the-- anyway, the number of it. I was-- I was very happy with that. And I think we did-- we did have a little hurdle there. But I do believe that both the cow/calf sector and the feeder sector need to come together. And we have-- it just needs modernized. And I do believe that what, what has happened with the, the, the iPads and the modernization of the, the Brand Committee that's happened over the last few years is huge. You know, we can't be sending change through the mail. I mean, through the U.S. mail is almost nonexistent anyway. And we need to-- we need to move with the speed of commerce. And these, these inspection papers need to go with these cattle that are going, you know, across state lines and across



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our, our inspection line. And they, they need-- it needs to happen at the speed of commerce. And I think that there's a lot of compromise that we need to do on both, all, all sectors to, to come together and, and get a compromise. I don't-- I don't have any-- I'm not in the illusion that I'm going to wave a wand and it's going to be fixed. But we definitely need to have more transparency with, with, with, with both of our main sectors. And it's just really remarkable how much the general producer doesn't know about what's going on with the Brand Committee. It's kind of like what they don't know about what's going on in the-- in the Legislature in Nebraska.

**HUGHES:** Thank you for that.

**IBACH:** Can I ask one more question?

**HALLORAN:** Sure.

**IBACH:** OK. And then when you speak to-- because I think Senator Holdcroft went up to Cuming County the other night when we talked to [INAUDIBLE] about, you know, modernizing, modernizing, or difference in statute and, and approaches. How do we speak or how do we continue to speak? Because, folks that, you know, that might come to eastern Nebraska Cattlemen's conventions or, or dinners, how do we address both sides of the ARFEL [PHONETIC] coin?

**BRENDA MASEK:** That's like the ongoing question.

**IBACH:** Yes.

**HUGHES:** If you knew that, you'd know the answer.

**BRENDA MASEK:** Yeah. If I-- if I-- if I-- if I-- like I said, that's the magic wand. I don't know exactly what that is.

**IBACH:** How do they approach it in Brand Committee meetings? I mean, how do you-- how do-- you know, when you guys come together even for Cattlemen conventions and stuff, how do you address that question? I mean, do they just--

**BRENDA MASEK:** It gets heated. I mean, there's a lot, I mean, as far as, I haven't-- I have attended a few Nebraska Brand Committee meetings over the years. On brand and property rights in Nebraska Cattlemen, it is-- it's always one of the most contentious things. It is. And a lot of it, again, most of it is down to they don't-- nobody knows all the facts. I mean, people say, oh, well, it's this way.

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Well, no, it's not. Or we either-- we're either going to go all the way in or we're going to go all the way out. And it's the reluctance to compromise--

**IBACH:** Yeah.

**BRENDA MASEK:** --is, I think, what is the biggest problem. And I think that, that, I guess that's why I want to try to help find something, something. I don't know what it is, but find something that the sectors can compromise on.

**IBACH:** I think it's been an ongoing question. You know, looking back at some of the transcripts from past interviews, I know that it's just an ongoing issue, and I don't have the answer. I'm not suggesting that I do. But I just wonder if, you know, through the Brand Committee and the Brand Commission, if you've had those discussions or going forward, if there are some compromise--

**BRENDA MASEK:** Well, I haven't been privy to, to all of that yet, but that's what I'm-- I guess I'm willing to stick my neck out and get into.

**IBACH:** Thank you very much. And thank you for your service to the cattle industry, because you've been a very valuable and an integral part of bringing the cattle industry in Nebraska where it is right now. So thank you for that.

**BRENDA MASEK:** Thank you, Senator.

**IBACH:** Yield back. Thank you.

**HALLORAN:** Thank you, Senator Ibach. Senator Riepe.

**RIEPE:** Thank you. I have 2 curiosity questions. The individuals who rustled-- the individuals that rustled 150 head, did they ever solve that problem from the pasture?

**BRENDA MASEK:** I don't believe he was caught for that incident, but he did-- actually, he might still be residing in the penitentiary.

**RIEPE:** I see. OK, that's good to know. I just like the end of the story. The second curiosity question, it appears you have a-- OK, it's an oval. I thought it was a legislative pin that [INAUDIBLE] you'd served in the Legislature.

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**BRENDA MASEK:** No, no, no, it's oval. It's a-- it's a NCBA, Nebraska or National Cattlemen's Association pin.

**RIEPE:** And we run into some problems with the consensus [INAUDIBLE] here in the Legislature too.

**BRENDA MASEK:** Imagine that.

\_\_\_\_\_: Really?

**IBACH:** Taking a cue from the Brand Committee.

**RIEPE:** Thank you.

**HALLORAN:** Part of-- part of the reason we're spending so much time with you, not that you're not an endearing and vibrant appointment, but none of us want to go back in there. [LAUGHTER] So I got a real quick question. I think it's a pretty easy one for you. I'm guessing that the motto for the Brand Committee is not finders keepers, losers weepers.

**BRENDA MASEK:** I, I-- I'm pretty sure not.

**HALLORAN:** OK. All right. Any further questions? I see Senator Hughes is shaking her head [INAUDIBLE].

**HUGHES:** I'm good.

**HALLORAN:** So OK. Any proponents? Well, you didn't bring a lot of proponents or opponents with you, but I've got to ask the question. Thank you for your time.

**BRENDA MASEK:** Yes. Thank you, guys.

**HALLORAN:** Are there proponents for the appointment of Brenda Masek? We do.

**LAURA FIELD:** Surprise, surprise.

**HALLORAN:** No surprise.

**LAURA FIELD:** I'll make it quick. Good afternoon, Chairman Halloran, members of the Ag Committee. My name is Laura Field, L-a-u-r-a F-i-e-l-d. I'm the executive vice president of Nebraska Cattlemen and very proud to be here today to support Brenda's nomination. As Brenda tells you, she was stealing most of my thunder. She's a past president

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of Nebraska Cattlemen. Personally, Brenda's been very helpful to me in guiding me along the way and working with the Cattlemen. Brenda owns and manages her family's ranch in southeast Cherry County as she told you. She also serves her community locally and statewide. She's involved in a number of things, from emergency management to local cattlemen's operations to getting relief to folks when they need it. She has been an active voice on brand issues for Nebraska Cattlemen and other stakeholders and has been part of many reviews of statutes and policies to try to help find solutions for every segment of the industry. Brenda has a passion for brand policies in Nebraska, and her leadership will have an immediate impact when she becomes a member of the Nebraska Brand Committee. Nebraska Cattlemen is very proud to support her nomination, and I thank you for your time.

**HALLORAN:** Thank you, Laura. Any questions? Senator Brewer.

**BREWER:** Mine's more of just a comment. We've gone through a lot of individuals that we put on the Brand Committee. I don't think we've ever had one as qualified as Brenda. So I'm excited. I didn't know she was going to be.

**HUGHES:** She's your [INAUDIBLE]

**BREWER:** Have a-- yes, she is.

**LAURA FIELD:** We are equally excited. We would agree that she's very qualified and be a great member of the team.

**HALLORAN:** OK. Thank you, Senator Brewer. Seeing no further questions, thank you, Laura, very much.

**LAURA FIELD:** Thank you.

**HALLORAN:** Any additional proponents? Seeing none, are there any opponents? Seeing none, anyone in a neutral capacity? No, very much. OK. That will conclude our Agriculture Committee confirmation hearing for Brenda Masek. Thank you all for coming.

**HUGHES:** Thank you.