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Government, Military and Veterans Affairs Committee
March 03, 2016

[CONFIRMATION]

The Committee on Government, Military and Veterans Affairs met at 1:30 p.m. on Thursday, March 3, 2016, in Room 1507 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on gubernatorial and Secretary of State appointments. Senators present: Dave Bloomfield; Joni Craighead; Matt Hansen. Senators absent: John Murante, Chairperson; Tommy Garrett, Vice Chairperson; Mike Groene; Tyson Larson; and Beau McCoy.

SENATOR HANSEN: (Recorder malfunction.) Today we'll be hearing a series of gubernatorial appointments and one Secretary of State appointment. Just a little housekeeping matters. My name is State Senator Matt Hansen. I am chairing today because Senator Murante is not available today and Senator Garrett is up in another bill. I'm thankful for Senator Dave Bloomfield of Hoskins for joining us today and I will recognize other committee members if they are able to attend. For those of you planning on testifying today, we'll be going in the order listed outside of the door. Several of our appointees will be via phone, so if you hear the disembodied voice from the ceiling, that's that explanation. If you're planning on testifying today please fill out a green sheet and present it to our committee clerk, Sherry. If you have handouts, please, hopefully you'll have copies for all of us. If not, please hand it to a page...you'll hand it to a page (inaudible) resource. For the order, we'll typically...for an appointment, we'll have the appointee come up and speak on his or her appointment qualifications and whatnot. And then if there's anybody wishing to provide testimony we'll go opponent...proponent, opponent, and then neutral testimony after that. All right. I believe that is all of our introductions and housekeeping matters. So I believe our first appointment is Polly Jordening with the State Emergency Response Commission and she is joining us by phone. [CONFIRMATION]

POLLY JORDENING: (Exhibit 1) Yes, I am here. [CONFIRMATION]

SENATOR HANSEN: Well, great. Ms. Jordening, if you'd like to go ahead and just introduce yourself and your position and your qualifications. [CONFIRMATION]

POLLY JORDENING: My name is Polly Jordening. I currently live in Grand Island, Nebraska. I have been appointed to the State Emergency Response Commission because of my vast background in environmental safety and health. I currently work for DuPont Pioneer as their safety supervisor at a Nebraska facility. [CONFIRMATION]

SENATOR HANSEN: Great. And you are...I guess...anything else you'd like to add would be welcome. [CONFIRMATION]

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POLLY JORDENING: I have worked for other large companies, such as Cargill and ConAgra Foods. And my tenure as a safety, health, and environmental manager has made me very familiar with the need to have emergency responses in place as an employer to protect our employees and also our environment as well. [CONFIRMATION]

SENATOR HANSEN: Great. Thank you. We'll see if there's questions from the committee. Senator Bloomfield. [CONFIRMATION]

SENATOR BLOOMFIELD: Thank you, Chairman. Ms. Jordening, have you ever served on a government committee before? [CONFIRMATION]

POLLY JORDENING: No, sir. [CONFIRMATION]

SENATOR BLOOMFIELD: Okay. What are you anticipating? [CONFIRMATION]

POLLY JORDENING: I'm anticipating hearing items that go on within the state of Nebraska and being able to contribute to our ideas, our situation. [CONFIRMATION]

SENATOR BLOOMFIELD: Okay, thank you. [CONFIRMATION]

SENATOR HANSEN: Thank you, Senator Bloomfield. Are there any further questions? Seeing none, thank you, Ms. Jordening, and we'll see if there are any proponent testifiers. Seeing none, are there any opponent testifiers? Seeing none, are there any neutral testifiers? All right, seeing that, we'll close the hearing on Ms. Jordening's appointment to the State Emergency Response Commission. Thank you. [CONFIRMATION]

POLLY JORDENING: Thank you. [CONFIRMATION]

SENATOR HANSEN: While we are potentially getting our next testifier on the phone I would like to recognize that Senator Joni Craighead of Omaha has joined us. Hello. Is this James Ziebarth? [CONFIRMATION]

JAMES ZIEBARTH: (Exhibit 1) Yes, it is. James Ziebarth. [CONFIRMATION]

SENATOR HANSEN: Ziebarth, thank you. This is State Senator Hansen and we're here in the Government Committee ready to conduct your hearing. [CONFIRMATION]

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JAMES ZIEBARTH: Okay, Senator. [CONFIRMATION]

SENATOR HANSEN: Great. This is the hearing for James Ziebarth for the Nebraska Accountability and Disclosure Commission. If you're ready, Mr. Ziebarth, go ahead and please tell us your qualifications and your interest in serving on the board. [CONFIRMATION]

JAMES ZIEBARTH: Okay. Well, first of all, James Ziebarth, I reside at 2402 Highway 44, Wilcox, Nebraska. I guess the qualifications and the reason why is, you know, two different things. But I was asked to look at this committee and I've served on various other committees, state and federally. And it did appeal to me and there's some things that are similar to some of the other things that I have done. And I just enjoy meeting the new people and further learning their process. [CONFIRMATION]

SENATOR HANSEN: Great, thank you. Is there anything else you'd like to add for the committee to know? [CONFIRMATION]

JAMES ZIEBARTH: Not at this point. [CONFIRMATION]

SENATOR HANSEN: All right. Well, thank you. I'll open it up to see if either of our committee members have questions. [CONFIRMATION]

JAMES ZIEBARTH: Okay. [CONFIRMATION]

SENATOR HANSEN: All right, I'm not seeing any questions. So for our procedure, we'll now ask to see if there are any proponent testimonies for this appointment. Seeing none, is there any opponent testimonies for this appointment? Seeing none, any neutral testimony for this appointment? All right, seeing none, we'll close the hearing on your appointment, Mr. Ziebarth. And thank you joining us on the phone. [CONFIRMATION]

JAMES ZIEBARTH: Thank you. [CONFIRMATION]

SENATOR HANSEN: All right. The next thing on our agenda is Edward Toner for the Chief Information Officer. [CONFIRMATION]

EDWARD TONER: (Exhibit 1) Good afternoon, Senator Hansen and members of the committee. My name is Ed Toner, E-d T-o-n-e-r, I am the Chief Information Officer for the state of Nebraska and the head of the Office of the CIO. I was appointed by the Governor to my

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position on June 9, 2015. I have 20 years of IT management experience in the private industry, which includes transaction processing in both the payment card industry and securities area. However, I began my career as an industrial engineer in manufacturing, which exposed me to various quality and efficiency programs and, most importantly, process improvement programs. These are skills which continue to influence every decision I make in these areas up to today. At Ameritrade I directed IT operation strategy, formulation, and implementation and includes the successful merger of six other companies that resulted in synergy values in excess of \$2 million in a combined operations organization of over 100. While at Ameritrade I also incorporated enterprisewide infrastructure and operations policies which resulted in availability of four nines or 99.99 percent availability. Also during that time I continued to enhance my skills as an industrial engineer. I spent one year upgrading my engineering skills in the area of process improvement and quality while earning a certification as a Six Sigma Black Belt. During that time as a black belt, which was one year, I saved the company \$3.2 million in recurring savings. After TD Ameritrade I moved on to FirstData. At FirstData I led a team of IT architects and performance engineers who successfully achieved availability and performance standards. We transformed 14 front-end office systems to a recovery time of zero, which means we had 100 percent availability on those systems. I also established a software configuration management program in less than four months to save our largest European customer at that time. I also led transformation projects and teams located in the United Kingdom, Slovakia, and Argentina resulting in enhanced productivity and quality, utilizing formal processes and best practices. All of this experience has been invaluable to be here at the state. I hold a Bachelor of Science degree in industrial distribution from Texas A&M University. The first few months as Nebraska's state CIO I spent time meeting with all the agencies, reviewing the operations at the OCIO, and the relationships between all these various entities. What I found was the majority of agencies across the state maintain their IT functions as an independent department within the agency. This invites inefficiency by its design. Current structure blocks basic efficiencies and risk mitigation by inhibiting automation in the areas of server management, maintenance, alerting, and security monitoring. This decentralized approach to technology comes at a much higher expense, as IT fails to optimize the resources across the enterprise. And it also fosters duplication of effort and disparate technologies with no central control or oversight. My personal priority is, along with the OCIO mission values and goals, are the following: consolidation, security, and availability of our systems. Our mission is respect for the taxpayers of the state of Nebraska. Our values we aspired: High aspirations for self and others build mutual respect among and across the teams, create innovative ways to provide solutions to our customers. And finally, sir, provide exceptional service to our customers. During the past nine months my team has been working to meet our goals and to consolidate infrastructure across code agencies. And I've been fortunate to be asked to present updates on our progress and our successes to noncode agencies to inform them of the direction of the OCIO. Our goals include consolidating our two data centers, moving all agency data centers into our main, primary data center here in Lincoln and in Omaha, consolidating our full network and infrastructure. Full agency procurement reviews in standards

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for cost savings. Consolidated enterprise helped us support and consolidated enterprise application support. We're currently engaged or have completed several agency consolidations, which include: Patrol, DHHS, Roads, Corrections, and Agriculture. Our goal is to centralize all agencies' infrastructure within the OCIO this calendar year. By accomplishing this goal we will reduce risk and complexity, thereby enhancing availability of all of our systems. These centralization efforts underway have already resulted in cost savings. I expect enhanced quality of service due to less duplication of technology and allowing IT staff to concentrate on common tools and common processes across the state. Thank you for your time. I'd be happy to answer any questions you may have. [CONFIRMATION]

SENATOR HANSEN: Thank you, Mr. Toner. We'll see if there's questions. Senator Bloomfield. [CONFIRMATION]

SENATOR BLOOMFIELD: Thank you, Chair. Mr. Toner, have you found much resistance from the code agencies or whatnot when you come in and suggest we ought to maybe do things a little different? [CONFIRMATION]

EDWARD TONER: I've been very pleasantly surprised with that, Senator. I have had great support among the code agencies. I believe I made a good business case and they've accepted that very well. I have met...I expected resistance, I have met very little. [CONFIRMATION]

SENATOR BLOOMFIELD: I expected you would find resistance and I'm pleased to hear that you haven't. I think you're doing a fine job. Thank you. [CONFIRMATION]

EDWARD TONER: Thank you, sir. [CONFIRMATION]

SENATOR HANSEN: Thank you, Senator Bloomfield. Senator Craighead. [CONFIRMATION]

SENATOR CRAIGHEAD: Thank you, Senator Hansen. Mr. Toner, thank you so much for being here. You and I have had the opportunity to work together on a few things. And thank you for all you've done for the state of Nebraska so far. [CONFIRMATION]

EDWARD TONER: Yes. Thank you very much, Senator. [CONFIRMATION]

SENATOR HANSEN: Thank you, Senator Craighead. Seeing no further questions, thank you for coming down, Mr. Toner. [CONFIRMATION]

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EDWARD TONER: Thank you for the opportunity. [CONFIRMATION]

SENATOR HANSEN: All right. Are there any proponent testimony for Mr. Toner? Seeing none, any opponents? Seeing none, any neutral? Seeing none, that will close the hearing on the appointment of Edward Toner to the Chief Information Officer. Next up on our agenda is Keith Deiml for the State Emergency Response Commission. And let me just go ahead and already preemptively apologize and retroactively apologize for any names I have mispronounced. [CONFIRMATION]

KEITH DEIML: (Exhibit 1) The name has never been easy to say. My name is Keith Deiml, that's K-e-i-t-h D-e-i-m-l, of Papillion. I'm up for reappointment to the State Emergency Response Commission. My background: I taught 28 years at the postsecondary level. The latter years were in emergency management. I am a Nebraska state certified emergency manager; a FEMA adjunct faculty; a HAZWOPER-trained technician through the operations level; a post-EMT instructor; and basically, I've been around hazardous materials and products like that most of my life. As I said, this is my third appointment to this commission, so I've been on it for a while. That's basically my background. [CONFIRMATION]

SENATOR HANSEN: Well, great. And thank you for your service. We'll see if there's any questions. Seeing none, thank you for coming down and for your testimony. [CONFIRMATION]

KEITH DEIML: Thank you, Senators. [CONFIRMATION]

SENATOR HANSEN: All right. Are there any proponent testimony? Seeing none, any opponents? Seeing none, any neutral? Seeing none, we will close the hearing on that appointment. A note: We did have Kimberly Plouzek scheduled, but I've been informed that that will have to be canceled and rescheduled, which means we'll move on to Brian Tessman as an appointment to the State Personnel Board. [CONFIRMATION]

BRIAN TESSMAN: Good afternoon. [CONFIRMATION]

SENATOR HANSEN: Thank you. [CONFIRMATION]

BRIAN TESSMAN: (Exhibit 1) My name is Brian Tessman. I currently reside in Omaha, originally from the big city of Hastings, Nebraska. I currently serve as a or work as a senior analyst for Securities America; I've been there for about six months. Prior to that...the prior ten years I was a senior analyst for TD Ameritrade. I'm seeking my fourth appointment to the State

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Personnel Board, so I've been on there for 15 years now. In addition to that experience I also hold a bachelors in human resource management from Hastings College. [CONFIRMATION]

SENATOR HANSEN: Great. Anything else you'd like to add? [CONFIRMATION]

BRIAN TESSMAN: No. [CONFIRMATION]

SENATOR HANSEN: All right. Seeing none, we'll see if there's any tough, grilling questions for you. All right, seeing none, thank you for your introduction. [CONFIRMATION]

BRIAN TESSMAN: All right. Thank you. [CONFIRMATION]

SENATOR HANSEN: All right. I'm going to take a guess that there will be none, but any proponent testimony for Mr. Tessman? Seeing none, any opponents? Seeing none, any neutral? With that, I'll close the hearing on Mr. Tessman's appointment to the State Personnel Board. Thank you for coming down. [CONFIRMATION]

BRIAN TESSMAN: Thank you, Senators. [CONFIRMATION]

SENATOR HANSEN: And our final appointment of the day, a Secretary of State appointment, Jeffery Peetz to the Nebraska Accountability and Disclosure Commission. [CONFIRMATION]

JEFFERY PEETZ: (Exhibit 1) Good afternoon, Senator Hansen and members of the committee. [CONFIRMATION]

SENATOR HANSEN: Good afternoon. [CONFIRMATION]

JEFFERY PEETZ: My name is Jeff Peetz. I'm an attorney currently practicing here in Lincoln, Nebraska, as my principal place of practice, but I also have offices in Omaha and Newman Grove, Nebraska, so essentially I serve all three districts and farmers all over. I've been asked to serve on this committee by Secretary of State Gale who is a friend of mine, who I also practiced law against many years ago back when he was in North Platte and I was a resident of Sidney, Nebraska, at that time. I'm very privileged to be asked to serve on the commission. Been working on the commission since my appointment earlier this year and I find that it's an excellent commission with good commissioners and extraordinarily good administrative staff. I've practiced law now for about 30 years, so I've worked with a lot of committees, I've worked with a lot of political entities. And so I enjoy this opportunity to work with the commission and

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ensure that there's a fair hearing process in Nebraska because I think it's awfully important.
[CONFIRMATION]

SENATOR HANSEN: Great. Well, thank you for your introduction. Senator Bloomfield has a question. [CONFIRMATION]

SENATOR BLOOMFIELD: Thank you. There's a lobbyist with the same last name. Is that any relation? [CONFIRMATION]

JEFFERY PEETZ: That would be...well, it would be my sister-in-law, Natalie Peetz, who has also hired my brother, Jack, who is a retired chief operating officer from...used to be at Crete Carrier and so that would be my sister-in-law. [CONFIRMATION]

SENATOR BLOOMFIELD: Okay. You see no possible conflict? [CONFIRMATION]

JEFFERY PEETZ: No, I don't. For the record, I'm an Independent. I'm the Independent on this committee. And I certainly have had spirited debates with Natalie on many issues and with my brother, Jack. [CONFIRMATION]

SENATOR BLOOMFIELD: You're not alone. Thank you. [CONFIRMATION]

SENATOR HANSEN: Thank you, Senator Bloomfield. Any further questions? Seeing none, thank you for your testimony, Mr. Peetz. [CONFIRMATION]

JEFFERY PEETZ: Thank you for your time. [CONFIRMATION]

SENATOR HANSEN: All right. We're going to move on to proponent testimony for Mr. Peetz. Oh, sorry. Someone finally stood up and it seems like that's not the case. All right. Seeing no proponent testimony, move on to opponent testimony. Seeing none, we'll move on to neutral testimony. Seeing none...Frank Daley, I have to admit you confused me the whole time. I was waiting for you to come up. [CONFIRMATION]

SENATOR BLOOMFIELD: You and me both. [CONFIRMATION]

SENATOR HANSEN: All right. With that, that closes the hearing on Mr. Peetz's appointment to the Nebraska Accountability and Disclosure Commission and the hearings for today. Before we turn off the mikes, I just want to make sure I thank both Sherry Shaffer and Andrew La Grone,

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our committee staff--I believe I did that earlier--as well as Brianne Hellstrom and Toni Caudillo, pages for the day. Thank you, everyone. [CONFIRMATION]