

Transcript Prepared by Clerk of the Legislature Transcribers Office
Government, Military and Veterans Committee February 3, 2023

BREWER: Good morning and welcome to the Government, Military and Veterans Affairs Committee. I'm Senator Tom Brewer, I reside from the 43rd Legislative District, and I serve as Chair of this committee. The committee will take up bills in the order they are posted today. Today, of course, are appointments. Our hearing is the public part of this legislative process. This is your opportunity to express your position on these proposed legislative issues. Committee members might come and go during the hearing. Hopefully today we don't have too many, it's a Friday. This is just part of the process. We've got bills in other committees. I ask that we abide by the following procedures to facilitate today's meeting. Turn off or silence any electronic devices you might have. When the time comes to testify, we ask that you move forward. Either of the chairs in the front row in the center are the testifier chairs. Today is looking really good. The introducer will make the initial statements, followed by proponents, opponents, and those in the neutral-- of course, today we're doing appointments-- closing remarks from, from the introducing Senator. If you plan to testify, please fill out the green sheet, write legibly and turn it in when you come forward. If you want to just make a record of being here at the, at the committee hearing, there's a white sheet at the back table that you can fill out. If you have handouts, be sure and bring at least ten copies. If you don't have them, let us know. We'll have the pages make copies. If you wish to testify or are testifying, we ask that when you come up, state your name, spell your name, speak into the microphone so we get a good record. Today we're going to go with the five minute light system. So you have a green light for four, yellow for one. And when it turns red, you're done. Now, that is only if someone is speaking. The ones that are being appointed or nominated for appointment, we're going to have as much time as we need to talk to you. So don't worry about that. No displays of opposition or support, vocal or otherwise, will be allowed. The committee members with us today will introduce themselves, starting on my right with Senator Conrad.

CONRAD: Good morning, Daniel Conrad, north Lincoln.

RAYBOULD: Good morning. Jane Raybould, Legislative District 28, the heart of Lincoln.

SANDERS: Good morning. Rita Sanders, District 45, the Bellevue-Offutt community.

AGUILAR: Morning. Ray Aguilar, District 35, Grand Island.

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LOWE: John Lowe, District 37.

BREWER: All right. And on my right, Dick Clark is our legal counsel. On the left on the corner is Julie Condon, our committee clerk. Our pages today are Quinn and Ryan back there, over there. And with that, we will go ahead and move forward with our first appointment. And the first one up, Patrick Guinan, and this is to the State Personnel Board. Welcome to the Government Committee.

PATRICK GUINAN: Thank you.

BREWER: Normally, we just kind of have you let us get to know you and share a little about your thoughts on the appointment that you're about to be made to.

PATRICK GUINAN: Yeah. OK, yeah. My name is Pat Guinan, I am currently on the Personnel Board, I'm the chairman of the board. This is my second reappointment, so my third appointment. So I've been on for almost eight years now. I'm a practicing attorney representing clients, mostly business-- individuals and businesses. I'm a civil litigator for about 30 years now. Prior to my current position at Governmental Law, LLC, I was at Erickson and Sederstrom for 25 years, mostly in the commercial litigation area. But I've handled a lot of employment litigation as well. At Governmental Law, we we represent the 83 counties that are members of the Nebraska Risk Management Association, and that can include about any issue that county government can get themselves involved in, whether it's currently what I'm handling of Voting Rights Act case for them. We'll do tort claims, civil rights, construction issues, employment issues we'll get involved in, but we do have outside counsel that handles most of the employment litigation for the counties. The Personnel Board, we obviously don't have a whole lot of involvement in the day-to-day activities of the personnel department. The personnel department is, you know, integral to the, to the state government. They're the ones that have the personnel rules. They control the-- they are the human resources department for the state, for the state employees. They handle negotiations on all collective bargaining agreements. They do salary surveys every year. They go-- they present us with those salary surveys. They make state government competitive not only with other state governments, but with private industry as well. These surveys are important and it's a, it's a big chunk of their time. The staff is a very committed, well-organized, well, just a good-running machine. It's a good, good, good department. And I enjoyed knowing the people in that department. On the board itself, I mean, the more-- the most we get involved in really is with grievance appeals. We appoint

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hearing officers to do the fact findings and make recommendations to the board. And we can either accept those findings, we can reject them, we can have rehearings if we like. Most of the time, our, our, our hearing officers do a really good job of presenting the record to us, of making their factual findings. The only times we ever really disagree with them is if we disagree with an interpretation of a collective bargaining agreement or with their application of a statute. That's generally where we get involved and maybe don't take their recommendation. Our decisions are then subject to appeal on petition in error to the Lancaster County District Court. We've had a couple taken up. We have one that's up right now. As a matter of fact, it's going to be kind of an interesting issue, but that's essentially what we do. That's essentially who I am. I'd be happy to answer any questions regarding my practice or what the personnel board does, or if you'd like some more personal information about my family or what I do for fun, my handicap.

BREWER: All right, well, Patrick, I think we probably learned more about the State Personnel Board this morning, we, we know through a number of hearings. So thanks for kind of enlightening us there. So it's actually, you have oversight to kind of be that check to make sure things are functioning the way they should. And evidently, you've done a pretty good job of that. You've been there eight years as the chairman. And that's one of the areas we don't have a lot of folks complaining about. So, I mean, those are all good indicators.

PATRICK GUINAN: Yeah.

BREWER: Let's see if we have any questions around the table.

RAYBOULD: Well, thank you so much for being here today and for your continued service and wanting to continue, is it another four-year term?

PATRICK GUINAN: It will be another four-year term, yeah.

RAYBOULD: So I'm curious, so how many people are on-- that serve on the State Personnel Board?

PATRICK GUINAN: There's five of us.

RAYBOULD: And so when you hear these appeal cases, are you acting as the jury, or how does that work?

PATRICK GUINAN: No, primarily-- we can, if we want. We could have-- we could, we could have the hearing ourselves and we can after our

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hearing officer has it, we can even just we have the-- all the evidence reoffered if we want to. Generally, we don't do that because our, our hearing officers, you know, spend days taking evidence and making consideration and, and, you know, sizing up the credibility of the witnesses and whatnot. But so our rule generally is we review a recommended decision, their application of those facts that they find to the applicable rules or union contract clauses or whatever. We generally affirm those, because I would-- I always talk to my board members as we're kind of an appellate level, even though we're really not. We're quasi-appellate. We do make quasi-judicial decisions. But I look at it as we generally don't change their findings of fact. We could, if we want to, based on the record. But they get to interview the witnesses, they get to hear what the witnesses testified. So we generally just accept what they, what they do, what they find. Where we come in is we want to make sure that the application of their facts are going to be consistent with how we read the contract clauses and how we read the personnel rules. So we act more of a review of the grievance. We are the last-- we are the last level of appeal for the employees or for the departments, if they want to appeal it. We are the last level before they can get to the district court. So that's really our, our position is just to either accept what the [INAUDIBLE] hearing officer does, or we as a board just generally just make sure that we-- that they, like I said, apply their facts to the, the way we understand and read the, the personnel rules and the union contracts.

RAYBOULD: So how many are on the board and do they all have legal backgrounds?

PATRICK GUINAN: No, mostly-- there's five of us. We have to be split up between Republicans and Democrats or Independents. So we have a-- we have our, we have our split, and we have two, three people that were previously-- three board members that were previously in state government, whether they were-- we have one that was personnel for the State Patrol. We have another one that was a liaison with the Governor's office at one time, and then the other one was-- she was in the-- she might have been in Administrative Services. We have another board member who is the human resources officer for Concordia College or York Community College, maybe. I apologize, I can't remember which one. And he is a lawyer, he graduated law school, but he's not a practicing lawyer. I'm the only lawyer that's on the board that is active in the practice. Well, I'm the second lawyer. I'm the only one that's active so.

RAYBOULD: I think my last question, how often do you meet?

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PATRICK GUINAN: It's as needed. But I would say that on average, we meet six to eight times a year. And in fact, I have a meeting at 10:30 this morning. So hope I get affirmed so I can--

BREWER: Our goal is to--

RAYBOULD: Thank you very much.

BREWER: Our goal is to get you to that meeting, OK? Senator Sanders.

SANDERS: Thank you, Chairman Brewer. And thank you for serving. It takes commitment, and the committee is relying on you. And so being reliable and attending is so important. So thank you for serving for eight years. Any issues that you want to talk about? What's your challenges? Any more information that you would like us to know about serving on this committee?

PATRICK GUINAN: No. I feel fortunate with the staff that we have, and our, our primary contact is Sean Davis. And they are, they are just a great, skilled, committed public servants for the, for the state of Nebraska. The communication with, with-- I'm the primary contact for the board on the communication, and their communication with me is just, it's, it's streamlined, it's easy. They make, they make our job really easy. They make us look a lot better than what we pretend to be. They, they know the rules inside and out. Then we don't read the contracts or the rules as in-depth as they do, we look at them on a case-by-case basis. So if an issue comes up with this rule or this regulation, that's where we get involved and we can interpret it. But they, they know those contracts, those union contracts, they know the personal rules back and forth. And there's-- I don't know that there's a better team that's more educated on, on their positions than, than a lot of boards. They're just a very good, well-run, they're up to date. They're contemporary on all the legal issues that face human resources department, what they must do and what they have to avoid with regard to whether it's progressive discipline or if it's, you know, discrimination or whatever the situation is. They have a very well-run crew. They've had some really nice advances, too. I mean, their, their changes on maternity leave, especially, and child care for the state employees, was an initiative that was done a year or two ago-- or a couple of years ago, I guess. And it was really to make the state of Nebraska, the government, that much more competitive with private industry and attracting the talent that the government wants and needs and keep them. Because a lot of places, a lot of employers you're dealing with child care or maternity leave or paternity leave or whatever the situation is, can be an obstacle to some places. But when

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you give that benefit to the employees here, my understanding is it's just, it's just been a great benefit and, and a really nice marketing recruiting tool for real talented players to come to the state of Nebraska.

SANDERS: Thank you. Thank you for serving.

PATRICK GUINAN: Thank you.

BREWER: OK. We're going to see if we're going to get you to that 10:30 meeting or not. Any more questions? All right, this may be a maybe we get there. Senator Conrad.

CONRAD: I promise. Thank you, Chair. And I hope I'm not mispronouncing Guinan--

PATRICK GUINAN: Correct.

CONRAD: Is that right? Patrick Guinan. OK, thank you, Mr. Guinan. I'm familiar with some of your work. I have read some headlines about your legal work over the years, and so it's nice to put a face and a name together. My, my question was just a little bit broader lens. So from your service on the Personnel Board, I know you take individual cases as they come up. But do you have any sort of safety valve or mechanism, mechanism available if, say, for example, you start to notice a pattern in practice from a certain agency where, gosh, it seems like there's a lot of red flags coming through here for unlawful discrimination that, like, kind of points to a broader kind of culture or a leadership issue? I don't know if that's necessarily within your jurisdiction, but since you have such longevity on the board, I just, I'm trying to get a handle on kind of how, how those broader issues may bubble up and how that would be helpful to stakeholders involved in oversight and administration.

PATRICK GUINAN: Certainly, we, we encounter grievances from more departments than others.

CONRAD: Sure.

PATRICK GUINAN: There are, there are issues in certain departments that-- every department is going to have their own issues.

CONRAD: Yeah.

PATRICK GUINAN: I don't mean to throw the State Patrol under the bus. No, I'm just kidding.

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CONRAD: [INAUDIBLE].

PATRICK GUINAN: We do. So, no, the-- but yeah, certainly we see it. And I don't see it necessarily in terms of-- at least I haven't seen anything that indicates to me that there's any sort of discriminatory practices in the, in the different departments. In fact, I don't know that we've ever handled one in the eight years I've been there.

CONRAD: OK.

PATRICK GUINAN: I think most of the time it's-- I think there's a lot of the certain departments that have certain personality conflicts and those grievances seem-- then when they come to us, I think sometimes they feel like they are a situation where they're just kind of-- the personalities might have bubbled over for a long time. And it's no different than in private practice--

CONRAD: Yes, yes.

PATRICK GUINAN: --or private industry or whatever, that people just get tired. And so then they, then they finally just hit the nuclear option and they want to terminate somebody. And maybe they have not followed the progressive discipline or maybe it just isn't severe enough to where somebody should be terminated. That's usually where it kind of comes out to us. I think those letters of suspension and the one week without pay and those type of things, rarely see those. It's the, the terminations or the big long suspensions that we get. And I think those are really more of just, I'm tired of this person coming into my office every day and I think they're wrong, and, and they just get to that point. But that's just--

CONRAD: Yeah.

PATRICK GUINAN: That's just--

CONRAD: Part of personnel management.

PATRICK GUINAN: That's, that's any, any organization more than two people, right?

CONRAD: I think that's fair.

PATRICK GUINAN: But no, as far as discrimination or anything that I would consider it a real red flag, no. Certainly there are departments that we see their grievances a lot more than other departments.

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CONRAD: Very good. Thank you so much. I appreciate it, thank you.

BREWER: All right, any additional questions? I apologize for the dinging up here. Last night I was watching my grandson and to preoccupy him, I gave him my watch. And he has put it into some type of a ding mode that I can't undo. So I went to the pages because you always go to the youth. But the problem is, if they're like college students, they're too poor to afford an iWatch. So they don't know how to fix it. So I took it off thinking that it will like make it think I'm not wearing it, and it won't quit dinging. And so I apologize for that. I think I've got to corrected. All right, any additional questions? All right, thank you for your time. Thank you for your testimony.

PATRICK GUINAN: Thank you. All right.

BREWER: Oh.

CONRAD: He'll make the meeting.

BREWER: Yeah, he'll make the 10:30 meeting. All right.

PATRICK GUINAN: Thank you.

CONRAD: [INAUDIBLE].

BREWER: You bet. Be careful out there and don't speed, OK? With that, we're going to invite up the-- Colonel John, welcome back to the Government Committee.

JOHN BOLDUC: Thank you, sir.

BREWER: Oh, we got paperwork. That's good. Want to make sure that the State Patrol always does the paperwork right. Welcome to the Government Committee.

JOHN BOLDUC: Well, good morning, Chairman Brewer and members of the Government, Military and Veterans Affairs Committee. My name is John Bolduc, J-o-h-n B-o-l-d-u-c, I've been honored to serve as the superintendent of law enforcement and public safety for the past five years, having been appointed by Governor Ricketts and confirmed by this committee and the Legislature back in 2018. I'm equally honored to be appoint-- to be reappointed by Governor Pillen and humbly submit my testimony before this committee for your consideration. Again, thanks for having me here today to discuss the progress that Nebraska State Patrol has made in the last few years as our outstanding team of

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sworn and civilian staff have performed admirably in their service to Nebraska. First, I'd like to outline my experience and qualifications for the role of superintendent. I'm originally from Maple Grove, Minnesota, where I was raised with my six siblings. In that environment, I learned the value of conflict resolution and teamwork. I graduated from Bemidji State University in 1986 with a bachelor's degree in criminal justice. I then attended the Basic Police Academy at Alexandria Technical College. I became a police officer in 1986 with the Maple Grove Police Department. There, I served as a police officer, a training officer, detective, sergeant and a SWAT team commander. I was appointed chief of police for the city of Mora in Minnesota in 1998, where I served until 2001. In 2001, I had the honor of being appointed by the late mayor of Brainerd, Minnesota, James Wallin, to the position of chief of police. I served in that capacity until May of 2010, when I accepted the position of chief of police and vice president of public safety at the court of San Diego. That position, with the unique challenges of a port police organization, solidified my commitment to leadership, development and cultural change within organizations. I had the privilege of leading a team with a complex mission that was really at the heart of national security from a local policing perspective. I served at the port until I came here in October of 2017. As you might imagine, I believe my professional experience more than satisfies the technical requirements of Nebraska Revised Statutes 81-2001 outlining this position. During my career, I had the opportunity to further my education by attending the FBI National Academy in 1999. I obtained a master's degree in 2014 and attended the National Executive Institute in 2020. I believe my experience and education continue to translate well into this position, as is demonstrated by our agency's recent accomplishments. And I'd like to highlight some of those. They include a sustained effort to address serious offenders across the state by increasing felony arrests annually by more than 30 percent; increasing the number of annual hours spent on community engagement by over 290 percent; increasing our recruitment and promotion of women and minorities in sworn leadership positions; the consolidation of operations in Lincoln from four facilities into one to increase efficiency, increase communication, and to address cultural gaps; beginning the expansion of our state crime lab to increase public safety service to our customers throughout the state; implementing new functions such as our technical crimes division, special operations and a special investigations team, all of which provide needed statewide services to assist our partner law enforcement agencies; increasing efficiencies and delivering services from streamlining concealed handgun permit renewals to detecting dangerous conditions on commercial motor

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vehicles on our interstates; also the creation of the new human trafficking hotline. All of these team accomplishments point to a high degree of staff competence and dedication, and it also portrays a very bright future for the Nebraska State Patrol. Personally, I look forward to completing my law enforcement career as superintendent of the Nebraska State Patrol. I can confidently say that in my 36 years of public service, I couldn't think of a better place to finish my career. I'd be happy to answer any questions the committee might have at this time.

BREWER: All right. Thank you, Colonel. Let's run around the questions. Senator Hunt.

HUNT: Thank you very much. Senator Brewer had a great idea to do a culture study on different parts of, of--

CONRAD: National Guard.

HUNT: --National Guard. Thank you, thank you. What, what are your ideas or thoughts around a culture study like that for the State Patrol, perhaps?

JOHN BOLDUC: Well, through the Department of-- I don't know what, what his definition of a culture study is or what that looks like, but we do already through the Department of Administrative Services, do an employee engagement study which measures things such as morale, such as leadership, such as things within the organization that are-- that need improvement. And that's, that statewide, so that's goes across all of the agencies. And we look at those results and we share those with our teammates and we try to discern, you know, what are some things that we could improve on? And so in terms of culture, that, that tool has been very useful to us. This is the third year we've done it. And one of the things that keeps rising to the top in terms of here's something we can improve on, is rewarding the positive behaviors that we want to see in our organizations. We certainly have awards and things for exceptional work, but just the day-to-day interactions, I think that's something we can improve on and something that we have been challenging our supervisors to make sure you notice the good work that's going on and reward it, because what gets rewarded gets repeated.

HUNT: What's an example of, like, good work going on that should be more rewarded?

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JOHN BOLDUC: So, you know, as you might imagine, there's a wide variety of tasks that, that we have to do in our organization. You know, the life-saving awards and things like that, those are the obvious ones. So and perform CPR, applies an AED and save someone's life, those things, you know, you get a little pin on your uniform and things like that. But the things that we're talking about are the-- just everyday, you know, making deadlines and finding efficiencies, just the day-to-day operations, the run-the-business-type stuff that we're talking about. I think those are things that sometimes get overlooked. I mean, I tell our team every, every time I get a chance, look, we see the outstanding stuff. It really rises to the top. A trooper charging into a Target store, not even taking time to grab his rifle--

HUNT: Um-hum.

JOHN BOLDUC: --knowing that there's an armed person in there. OK, that's pretty exceptional. But the little things every day that I think we can, you know, reward is just the-- that people come to work on time, usually they're early. They get their job done. They are interacting with the public in a way that puts the state of Nebraska in a positive light. Those are the kind of things.

HUNT: OK, cool. I-- so those are like administrative things and like task completion things. And what about issues of conduct and discrimination and the way these things affect morale? Have-- where do those things come up in the survey that you guys do? If the top thing is rewarding positive behaviors, where do those kinds of issues come up in the list?

JOHN BOLDUC: That actually doesn't appear on the list. It's not-- that, that would fall under the, you know, there-- if I recall correctly, there's about 21 questions that were asked in the survey. I don't know if you've seen it or taken it.

HUNT: I don't think so.

JOHN BOLDUC: OK.

HUNT: Maybe I should take it.

JOHN BOLDUC: Yeah. Sure, absolutely. You know, and one thing that's talked about, I feel respected in the--

HUNT: Um-hum.

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JOHN BOLDUC: --workplace, questions like that. I feel like my contributions are valued. Those-- that's where those kind of things come out. And those of our-- those have been very positive scores. But what's more important, if we want to address behaviors like that or detect behaviors like that, we have a number of systems that are already in place for that.

HUNT: OK.

JOHN BOLDUC: We have an early warning system through our professional standards department, where if someone has a number of complaints that come from citizens more than so many in a month or a quarter, that kind of rise to the top. And so we want to take a look at that. We have an ethics hotline that employees can anonymously make a report electronically via voicemail, through our HR department, and we advertise that widely. And if there's any issues that where you see a teammate behaving in a way that's counter to our values and counter to our rules, they can report that behavior. So--

HUNT: Is that--

JOHN BOLDUC: --that's kind of where that falls.

HUNT: Is that hotline and that voicemail the, the preferred channel to report that kind of thing?

JOHN BOLDUC: Well, you know, actually, there's not a preferred method.

HUNT: Um-hum.

JOHN BOLDUC: We want any method at all. If somebody sees behavior that doesn't meet our high standards, we want to know about that. Now, it seems to be the one that gets used the most, but sometimes someone will just report behavior to a supervisor.

HUNT: Yeah.

JOHN BOLDUC: And that's perfectly acceptable too.

HUNT: What kind of protections are in place with that hotline to protect the anonymity of the reporter? Because I know in organizations, maybe more so in a law enforcement-type organization or a security-type organization that you see in any sector of life, in government and industry, you know, there's, there's chain of command, there's hierarchies, there's these power structures in place that can intimidate or discourage people from reporting--

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JOHN BOLDUC: Yeah.

HUNT: --concerns.

JOHN BOLDUC: Thank you, Senator. That's, that's a very good point. And that's why we use that ethics hotline as a completely anonymous tool. There isn't a way to track back-- if you do a website submission, there isn't a way to track where it came from. And a lot of those come through HR, they go to professional standards. They're brought to my attention. And so if, if it's a behavior that somebody has observed and they-- they certainly can leave their name if they want, like, hey, I witnessed this behavior. I'm concerned by it. That's the most helpful because that person can be interviewed. What's the time, date, place, those kind of things.

HUNT: Um-hum.

JOHN BOLDUC: But there have been anonymous complaints that have been successful in pointing us to a behavior that, you know, obviously is against our standards and have resulted in, you know, successful investigations.

HUNT: Would you be willing to work with the Legislature on an examination of processes or something like some kind of culture study? And I only-- I know that you aren't, like, familiar with the bill, and it's not affecting State Patrol, but it's fresh in my mind because we just heard this bill a couple of days ago--

JOHN BOLDUC: Oh, sure.

HUNT: --from Senator Brewer. And just making an examination of these processes and culture and morale. And, you know, I'll be frank, the reason I'm going down this line of questioning is because I've been contacted by between five and ten members of the State Patrol privately. And for some reason, many people in state agencies contacted my office as whistleblowers or that type of vibe, that type of thing, and they say, can you please look into what's going on here? I feel like I can't say anything, or this is happening and everybody knows about it, but nobody's doing anything. And for me, I mean, I'm not, I'm just a shop girl who got elected and people feel different ways about that. But like, a lot of this feels like out of my scope of knowledge and expertise. But when these things come to me, I feel-- and then I have an opportunity to talk to you, I feel like it needs to be said. So I say that because many members of the State Patrol have brought concerns to me, and I wanted to note that, but also give you

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the opportunity to talk about these types of oversight and reporting mechanisms that you have in the Patrol.

JOHN BOLDUC: Great. Thank you, Senator. You know, just to kind of put a point on that, I think that we do have great systems in place that honor anonymity. And I think those have proven to be effective. A number of the-- as I mentioned, a number of complaints have come through that have been successfully resolved. So I would just encourage our teammates to continue to use those systems that are designed for that very thing. And out of 720 employees, we're going to have complaints that come up from time to time.

HUNT: Yes. Yes.

JOHN BOLDUC: But we want to make sure that we have the right culture and the right tools in place to address those concerns when they are raised.

HUNT: And I want you to know, I'm not putting blame on you or anything like that. I, I don't blame you for anything like that. I know regardless of how good our leadership is, people make choices.

JOHN BOLDUC: Certainly.

HUNT: That you can't control. I mean, I've managed teams. I've been an employer for almost 20 years, and I've had employees do stuff that I had to be responsible for. But like, I would never have, you know, none of that was in my control. And so I understand how hard it is to run-- well, I don't understand how hard it is to run a big agency or anything like that, but I can imagine. So thank you for answering my questions.

JOHN BOLDUC: Thank you, Senator.

BREWER: All right, additional questions? Senator Conrad.

CONRAD: Thank you so much, Chairman Brewer. And thank you, good to see you again, Colonel. And just a couple notes and then I had just one area of questions that we had discussed previously that I just wanted to make sure to note. But I just wanted to commend you for your openness and your candor in reaching out to all stakeholders from when you first were appointed and continuing through today. I've really appreciated having an opportunity to have an open dialogue even when we're pursuing different goals sometimes, because I think that's really a testament to your professionalism and public service. I also know that you-- not only is your job hard on a good day, but you, you

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walked into, I think, an agency that, that was really working through a lot of challenges in terms of culture and personnel and, and had some, some leadership issues in the past. So walking into all of that, it seems that you've made a very concerted effort to, to try and change the trajectory, which I think is commendable and impressive, especially as law enforcement is under increased scrutiny. So doing all of that at the same time is, is really more than a feather in your cap, it's, it's really incredible. So the, the one area that I wanted to visit with you about and not playing gotcha, we had a chance to talk about it very briefly when you were kind enough to reach out in advance of this hearing. But just if you could help the committee understand, for example, and I know how code agencies work and how you have to be responsive to the will of the Governor's Office in regards to how you, you handle your work. But I know there was a high profile issue during the course of your term with deployment of State Trooper resources and personnel to the southern border. And I know that raised a lot of questions from Nebraskans across the state and across the political spectrum about, hey, wow, we are already kind of underresourced when it comes to having State Patrol in our communities to meet our public safety needs and why are we footing the bill for this deployment? So it's well documented in the press, as is your response. I just wanted to provide an opportunity, if you could, to, to kind of help us understand, you know, how that decision did impact your ability to provide resources in Nebraska to Nebraska citizens.

JOHN BOLDUC: Great. Thank you, Senator. So on the backdrop of that request is a normal-- I guess they are more like one-offs. But the system of the EMAC system, the emergency management compacts, is if a state has a need and they don't have the resources to fill that need, they can request other states to come in and help out. We've participated in a number of those over the years. Most recently, a number of our folks were deployed to North Dakota during a, a large event up there with the pipeline protests that predated my term here. We've been requested to go to help out with the hurricanes in the last several years. In most of those cases, we did not go because the needs were met before we could spool up the resources. We assisted the state of Minnesota with potential disruptions at their state capitol prior to the Texas event.

CONRAD: OK.

JOHN BOLDUC: And then, of course, there was the EMAC that came from Texas. And you're right, that did cause a lot of concern with some folks. But basically the request was, look, can state agencies send in particular law enforcement officers to assist us with this challenge

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at the border? When we get those requests, we examine the resources that we have. We look at the specific request. Some of the requests that were made by Texas DPS, we could meet those needs. Some of them we couldn't. Specifically, they wanted helicopters and pilots. We just didn't have the ability to, to meet that need. But we did meet-- we did put together a list of potential assets that we could send them and that, that turned out to be 24 personnel plus equipment to go and assist the Texas Department of Public Safety in enforcing state law. And largely, it turned out to be a humanitarian mission because most of the folks coming across the border were tired and hungry and thirsty. And it was kind of like, tada, we're here. Now what do we do? And really, it was just trying to help funnel people to the right places so that they could get help. If you heard some of the testimony of our team that was there, it was pretty incredible. I mean, we had babies born along the way. So you have a mother carrying a brand new newborn. OK, what do we do with this? OK, get them to the right resources. And the people of Texas were incredible. They were welcoming, they helped meet the needs of the various law enforcement agencies that, that were there. We're doing a tremendous job with we're helping the people who are coming across the border. Again, hungry, thirsty, tired, in need. It was really remarkable. So it was much less of a law enforcement operation than it was a humanitarian operation. And so, yeah, that was, that was the first time we'd done anything like that. I think it was really great for our team to go and learn how these things are conducted. Heaven forbid if we ever have a large-scale event here in this state, whether it be a natural disaster or another need, we learned how to make the requests, how to be clear, perhaps more clear in our communication and, and what the needs are, what resources we need. And this process is, is very common in the fire service. It's very common with our National Guard. It's not as common for law enforcement resources to go to other states, but it does happen. Every few years, we'll get a request like this.

CONRAD: Very good. Thank you so much.

JOHN BOLDUC: Thank you.

BREWER: Well, just as, I guess, a trip down memory lane and there may be-- maybe not-- one of the troopers here that would remember in July of 1999 in a place called Whiteclay, Nebraska, asked and received help. It was from tribal police, it was from the BIA and the state of South Dakota, because we had a situation that had developed in Whiteclay where there was the distinct possibility of the town being literally burned to the ground. Now, I was there as the military commander with the special operations detachment, working with

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Nebraska State Patrol. And I don't remember the exact number, but it was around 125 Nebraska State Troopers that were involved on the ground there. I don't know how much of your badged force that is, but it was considerable for a town of 15 people. So we have gone to other sources to help us in the past. And so I can see how essential that is to have that ability to go back and forth and be there on either side of things. But just for those that weren't there, the roughly 50-- or 5,000 members of the Oglala Sioux tribe that came south were allowed to protest a handful of incidents. But in the end, virtually nothing happened, and we were able to get through that event as well as possibly we could have. But again, even though you weren't the commander then, they handled themselves very professionally in a situation that could have went south, could have been a horrible incident. And so, you know, the potential to have situations like, situations like that are always there. You know, unfortunately, due to some decisions in this building, that's not our problem anymore in Whiteclay, and I hope it continues to be that way. But we, you know, we hear issues now and then about someone who may or may not think the world is necessarily right in their eyes and in a process to, to hear those complaints is essential. What Senator Hunt was talking about on the military side is, I had asked that we look at doing what's called a unit climate profile. That is simply a snapshot. So in, in your case, if say a troop is changing the command and you wanted to get the pulse of, you know, how is it doing? Any issues? Well, we have one for the military that can be for a company, can be a battalion, brigade, however, that is. But what we don't do is at a state level, take a look at you know, is HRs, is all the, the key elements that everybody has to work under, are they performing the way they should? Because sometimes the units are doing just fine, but they're not being taken care of from above. So that's, that's what she had referred to there and that's kind of what we have been asked is, would it be proper for us to maybe every few years get a check to make sure that if there's an internal problem. Because even more than the State Patrol, the military is a very closed society for the most part, as far as anyone really feeling comfortable ever stepping out of that realm to say anything about an issue. So just as a reference with, with what a unit climate profile is.

JOHN BOLDUC: Appreciate that.

BREWER: OK. Any other questions for the Colonel? Senator Raybould.

RAYBOULD: Thank you, Colonel Bolduc. It's a pleasure to meet you. Thank you for your years of service. So we know workforce shortage is

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a real problem. Can you tell us how the State Patrol is managing in attraction and retention?

JOHN BOLDUC: Great. Thank you for the question, Senator. This is certainly top-of-mind for our organization right now as it is for law enforcement agencies across the country. This is a national trend, shortage of workers. Frankly, it's in every industry right now, but it's really been highlighted in public safety in the last few years. We have fewer people entering the profession nationwide, for a variety of reasons. We can speculate on what some of those are. The good news is we're getting some really, really quality candidates coming through our process. We just don't have enough of them. So some of the things that we're doing to address that, we've doubled the number of camps that we're holding every year. We used to have one per year and we'd get anywhere between 15 and 30 folks into that training cycle. Now we're holding two camps a year. We're getting about the same number of people, but we have to work twice as hard to do it. We've done-- we have basically tried everything new in the recruiting world: targeted recruiting, advertising, using social media, using digital advertising in different parts of the state where we're trying to reach certain demographics. We are recruiting heavily transitioning vets from the military. That's been a great source for some quality candidates for us. We're visiting just about every college in the state, community college, four-year colleges, private colleges, public universities, even out-of-state. I personally have traveled to the home country of Minnesota to recruit from some of the universities up there. And, you know, the good news is we're getting a little bit of traction with every one of those efforts, but we need more. So the good news is for anybody who might be watching this today, we're hiring. Our applications open on Monday for a camp that will start shortly after the 1st of July. We have 15 camps-- 15 recruits in camp today. For the first time ever, one-third of that camp are females. And of those candidates, three of those are minorities. So our recruitment of diverse candidates is getting better. We have a long ways to go, but we are reaching a broader audience and we're getting good people. We just need to get those numbers up. Certainly the labor contract that was recently signed that will take effect July 1st will help us be competitive with other agencies in our state. And it's not going to be the magic formula, but it's definitely going to help.

RAYBOULD: Terrific. Thank you very much.

JOHN BOLDUC: Thank you.

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BREWER: Oh, that was a great question. If we were to take a look, a snapshot of how many Nebraska State Troopers that you have on the road doing the day-to-day mission today and we were to compare it with-- and I know it's before your time, but ten years ago. Because we're looking at census to census, we know that we gained about 180,000 people. So 2010 to 2020, would we have gained a sufficient number of troopers or would it be fewer troopers?

JOHN BOLDUC: So, Senator, thank you for the question. I believe in 2010 the numbers would be about what they are today. I think you have to go back to about 2000 where we had authorized sworn strength of about 520, give or take a couple. Today, our authorized sworn strength is 482. And I'm not going to sit here today and say that that's not enough or that doesn't meet the needs. With 482 on the books and about 60 vacancies-- I'm going to a retirement party this afternoon, so perhaps it will be 61 or 59 by the end of the day. It changes every week. We have retirements all the time. We definitely have become more efficient in the last ten years. We-- I can't say that we're doing more with less because we're, you know, we're doing, you know, the workload increases. But there are efficiencies that come with technology. Certainly we are more technologically savvy than we were ten years ago, certainly more than 20 years ago, how we deploy resources and those type of things. So if you want to compare apples to apples, if we're at full staff right now at 482, in fact, I would consider a full staff to be probably for 460, 465, because you're always going to have people transitioning in, transitioning out. Twenty years ago, we had some very large camps. Those folks are coming up on retirement. And we just need more coming in the door than those going out the door.

BREWER: Well, and one of the concerns, obviously, is that as those numbers come down, you've got certain requirements where the population is that you really can't get around. Where the population isn't, our problem is I got counties that have a sheriff, maybe a sheriff and a deputy. And that area is 20,000 square miles. And, and literally you get to the point where a, an accident, whatever type of event that requires law enforcement assist, it takes so long to get a response. And so I worry as those numbers dwindle, that that disparity will become worse to where, you know, we're really going to have to face the fact that-- and we're doing the same thing with our emergency services too. Our ambulance crews are wearing out, there are folks that have done it a long time. They're getting long enough in the tooth that they can't do it anymore, but there's no generation coming up to do it. So I have an area between Gordon and Valentine that doesn't have ambulance service because there's no one left to man the

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ambulance. Well, I don't want to see that of the State Patrol, that we just don't have enough people to put it in those more remote places like a Cody or Rushville or somewhere like that. And, and so what are your thoughts on that? Is, is that a concern or do you think the distributions is fair?

JOHN BOLDUC: Well, thank you for the question, Senator. It is a great point and it is a concern of mine. I've made no secret of this, I tell it to our team all the time. A vacancy in a rural part of Nebraska has a far greater negative impact than a vacancy in the Omaha metro area. So we have to make sure that we're applying our resources appropriately. As it stands right now, the vacancies in Omaha and Lincoln are easier to fill. And really, it comes down to choices when we're recruiting if a potential recruit, say, coming out of the military, coming out of the university, they want to work for us. But if we tell them, you know, they may have a family, they may have kids, they may have a connection to, you know, a certain community. And if they say, well, if, if I can't work there, I might go work for Lancaster Sheriff or LPD. We have a decision to make. You know, we'll hire those people. Now, the way to combat that is something that we've been doing the last several years, we're really trying to recruit people from some of our rural communities who are from there, they want to stay there. It's not uncommon for a trooper to get hired from Omaha or Lincoln, work out west for a few years and decide, you know, more cattle than people, not my jam. So they want to move back. And under our labor contract, they have the ability to do that if there's a vacancy. So that does happen. We've had some success in places like Chadron. We've recruited from the university there. We hired a number of troopers who've come out of that university and want to stay in that area. So we know that that model will work. But I also have to look our farming and ranching partners in the eye and say, I'm trying to recruit your kids away from the farm or ranch to come work for us. That poses a challenge, too. So we do have our eye on that. We know that the vacancies in the rural areas are impactful in a negative way. But I'm proud to say that our team has made the adjustments. There are occasions where response times are long. No question about that. But we're, you know, we've tasked our, our troop area commanders to take a look at where the resources are deployed. And even though-- those that are shorthanded, they still have to get the mission done. So I think we're, we're definitely up to the task.

BREWER: So when you have a class graduate, you give them assignments out of the academy where they're going. And that's not an option. When you say you're going to X, that's where they go. So like in the military, it would be like getting assigned to Bismarck, North Dakota,

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if you end up in Cody or Gordon or somewhere. Because if you really don't want to be there, it's, it's kind of a harsh assignment.

JOHN BOLDUC: The-- thank you, Senator. So the way it works now, and we've made these changes and it's actually helped with our numbers. There are a certain percentage of our recruits that they're promised a duty station when they sign up. OK? Because that-- the choice for us is, they're either going to go to OPD or they're going to come work for us, right? Just as an example. That's about a third of them. A third of them will have, like, a preference. Well, I'd rather work here or there. You know, we'll give them somewhere in their top three choices. And about a third of them are what we would consider free agents. I'll go wherever, I'm just happy to be here. And those folks usually end up where we have those vacancies in some of our rural communities.

BREWER: Those are what we call infantrymen.

JOHN BOLDUC: Yes, Senator.

BREWER: All right. Additional questions for the Colonel? Senator Raybould.

RAYBOULD: One final question. How many canine offer-- canine officers are on the patrol?

BREWER: Good question.

JOHN BOLDUC: Thank you for the question, Senator. I know that we have one vacancy, perhaps two. But I believe the number today is nine.

RAYBOULD: Nine. Wow.

JOHN BOLDUC: And they're spread out across the state.

RAYBOULD: OK.

JOHN BOLDUC: And they, they do exceptional work. They, they are busy and they put a lot of miles in the car because when the sheriff in Colfax County calls and says, hey, we have an incident, we need a dog, we get one there. It might take a few hours, but we get one there. So and we're really proud of that team. They do great work. And, and by the way, if you ever come to our office and you look at the pictures on the wall, we have pictures of people and then we have pictures of dogs. Everybody loves the dogs.

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RAYBOULD: Great. Thank you.

BREWER: So speaking on behalf of a dog lover, I, I can put my-- I feel how that is where I would go too. All right, any other questions? Yes, Senator Sanders.

SANDERS: Thank you, Chairman Brewer. And thank you, Colonel, for serving and your willingness to continue to serve in that capacity. Just maybe it's a conversation we should have offline, but District 45 is home of Offutt Air Force Base, and we do see a lot of special forces that get out and stay or they want to stay. Is there something the Legislature can do to make that transition smoother? I had a bill for reciprocity for spouses that were teachers. Just, just a thought.

JOHN BOLDUC: Well, thank you, Senator. And by the way, that, as I understand it, that, that bill on reciprocity for, for teachers and others was very well-received. We did have a discussion, I think there was another bill a year or two ago that talked about military police training as a reciprocity. That isn't in place right now. The challenge is not every military police MOS is the same. Some are actually purely security, some are actually law enforcement on bases. And that, that experience is very valuable. We expect that anybody coming to the State Patrol will go through our training program, which is a full six months, regardless of experience. We think it's important to have everybody train to the same level. And again, we've had a number of military vets with some really outstanding law enforcement experience in the military come to us, go through our training and have, you know, frankly, excelled. Now, some of it may be a bit repetitive, but we think it's necessary in order to maintain our high standards.

SANDERS: Thank you. Let us know if there's anything we can do.

JOHN BOLDUC: Thank you so much, Senator.

BREWER: And on Senator Sanders' line, of course, the Air Force, because they have such a requirement for security that the Army doesn't necessarily do. An army has military police, but a lot of times that's just to keep track of soldiers, not to secure missile sites and air wings and all the things they have. So numerically, the Air Force does have more people that are in the capacity of security and there is a job fair they do with-- and I want to say it's quarterly-- as folks come out, they come in and then they they try and herd them to a particular location, jobs and all that. We might see if we can't get you guys hooked up to be there. And, you know, a lot of

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them, if they're already doing law enforcement, it's, it's obviously a, a love they have and it might be an easier transition to nab them because they're already in Nebraska. So they won't be shocked at the cold or anything else. All right, any other questions? John Lowe.

LOWE: Thank you, Colonel and Colonel.

JOHN BOLDUC: Senator.

LOWE: The-- you mentioned retirement. How many troopers are on their way to becoming retired?

JOHN BOLDUC: Counting myself, well, I got two years left. We lose about 15 a year to retirement. That's about our average. There are some years it's a little higher, some years a little bit lower. So, you know, certainly one a month. And that's just our normal cycle of, you know, typically between 25 and 30 years, sometimes longer, depending on when they entered service. So that's, that's been pretty constant, you know, certainly since I've been here. We're losing one a month to retirement.

LOWE: OK. No, a good friend of mine was just in the last graduating class for the State Patrol, and so I'm glad to see Clarissa [PHONETIC] made it all the way through and has joined with you.

JOHN BOLDUC: Absolutely. She's doing a great job for us up in Omaha.

LOWE: Good. All right. And your training in Brainard, did that help you becoming superintendent of Nebraska?

JOHN BOLDUC: Well, you mean weatherwise?

LOWE: Yeah. Yeah.

JOHN BOLDUC: It's far worse in Brainard, but it's a lot better in San Diego. So I have to kind of strike a balance.

BREWER: Yeah, it was kind of a brutal change, wasn't it? All right, any other questions? All right, Colonel, thank you for your patience. Thank you for your questions. It's just been enlightening and, and, and we appreciate everything.

JOHN BOLDUC: Thank you very much.

BREWER: And we appreciate your troopers here in the building keeping us safe.

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JOHN BOLDUC: Oh, you bet, sir. They do a great job.

BREWER: They do. All right. Now we are up to the last of the Mohicans. I can say that. John, welcome back to the Government Committee.

JOHN HILGERT: Thank you, Mr. Chairman. Appreciate you being here, and thank you for all your committee's time and attention. Good morning. Chairman Brewer and members of the Government, Military and Veterans Affairs Committee, my name is John Hilgert, J-o-h-n H-i-l-g-e-r-t. I'm the Director of the Nebraska Department of Veterans Affairs, and I want to thank Governor Pillen for reappointing me to this position. Thank you for your time and your consideration today in advancing made to the floor-- floor and confirming this appointment. Some background on me. I was born in Omaha and went to Holy Cross grade school, Daniel J. Gross High School. I have a finance degree from the University of Nebraska-Lincoln and a law degree from Creighton University School of Law. After graduating from Creighton, I joined the United States Army. Most of my service was with the First Infantry Division stationed in Fort Riley, Kansas, serving in the Judge Advocate Generals Corps. I deployed with the division during Operation Desert Shield and Operation Desert Storm. After leaving the Army, I returned home to Omaha, where I worked for Catholic Charities of the Archdiocese of Omaha for nearly ten years. I was appointed to the Nebraska Legislature by then Governor Ben Nelson in 1995 and was successfully elected in 1996 and 2000. I have been active and a member of several veterans organizations, including my trade association, which is the National Association of State Directors of Veterans Affairs. I served as their president for NASDVA in 2019-2020. I had the honor of hosting the annual training conference in Omaha, as well as testifying before the Joint Committee on Veterans Affairs of the United States Congress twice. I've been active in the Boy Scouts and served as a member, then a chairman of the board for the Metro Area Transit Board of Directors in Omaha. I've been the Director of the Nebraska Department of Veterans Affairs since 2001, originally appointed by Governor Mike Johanns, then retained by Governors Heineman and Ricketts, and now Governor Pillen. The last 22 years, it's been exciting. It's been challenging and frankly, an honor. I truly believe our agency has the best mission in the state. We honor, support and advocate for the men and women that served our nation, who have put their safety on the line to defend our freedom and have come home injured, mentally or physically, and who have sacrificed to make the good life possible. It's not just those who served, but those families who have kept the home fires burning, who have supported them when they were away, and who welcome them when it's time to come home. Or who maybe didn't get the welcome-- and maybe didn't get to welcome their loved one home and

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are now Gold Star families. Every day at NDVA brings something different. But the end goal remains the same: to those-- to serve those who have served. It's hard to find a more noble mission than that. Currently, our agency is the fourth largest code agency of the state, with nearly 800 teammates working across Nebraska to serve our state's veterans and their families. A majority of those teammates work in one of our four veterans homes located in Bellevue, Norfolk, Kearney and Scottsbluff, where we provide care to veterans and their eligible family members. At the Nebraska Veterans Cemetery in Alliance, we offer memorial and interment services. Our state service office is made up of accredited veterans service officers who help veterans and their families to apply for state and local benefits, as well as navigate the U.S. Department of Veterans Affairs benefits process. At our central office, we administer state benefits such as Nebraska Veterans Aid, waiver of tuition, Vets Get Pets adoption-- Vets Get Pets adoption reimbursements. We maintain the Nebraska Veterans' Registry, which connects the Nebraska Department of Motor Vehicles for veterans' driver's license and military honor plates. We provide support and direction to the home, cemetery and state service offices. In my time as director, we have remained veteran-focused. We've worked to reach more families and veterans across the state to do a better job serving our state's veterans and their families and to grow and expand in the ways that we serve them. Our agency has enjoyed incredible support from the Legislature, the Governor's Office, all four that I have served for, the veterans service organizations, the VSO leadership throughout the state and communities around our homes and cemetery. And from, of course, the citizens of Nebraska in general. We have built a great team that is focused on excellence, focused on the future, and more importantly, focused on the veteran. It's an honor to lead this agency in the last 22 years, and I hope you'll grant me the privilege of continuing to do that job to lead this amazing team. That concludes my testimony and certainly answer any questions, which you might have.

BREWER: Thank you, John. Let's see if we've got questions for you. Senator Aguilar.

AGUILAR: Thank you, Chairman Brewer. Director Hilgert and myself-- history goes back quite a ways.

JOHN HILGERT: Yes, it does.

AGUILAR: I can remember when he was a young freshman in the Legislature. And since that time, I believe I was serving on the Government Committee when he was first appointed to his current

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position. And I personally want to thank him for his dedication and getting through to the struggles that have existed in that department, you know, all the way back from moving the veterans home from Grand Island to Kearney and the struggles that come with that, to the staffing issues that come from the pandemic. How you, how you got through that, I don't know. But you did. You did so with a smile on your face. I appreciate that.

JOHN HILGERT: Not always.

AGUILAR: And even the issues that exist today that we're still working on and we'll always keep working on. And the respect I have for you, because through all this, your love for the veterans has been unmatched throughout. And I encourage everybody to vote for this young man because he deserves every bit of it. Thank you.

BREWER: Thank you, sir, Senator Aguilar. I'd have to chime in too. I know this summer Senator Erdman beat you up pretty good on an issue out west. And I guess the barometer I use to decide whether someone is doing their job or not is when a problem is pointed out and they figure out a solution, resolve it. It's one of the a lot of it festered and becomes one of those things that makes, you know, everything not work right. And you have reacted and made the changes. Got the right people. And I think Ray said it well. There were some really big challenges with getting Kearny open and going, making the transition. But just to kind of share with everything, I had a couple of folks who were in one of the facilities and had some concerns. I shared it with John and he not only went out to fix it, but went to personally meet with them and talk through what their concerns were and making sure that what he did was actually fixing the problem. Not many folks that are in a position as a director is going to go all the way down to the human level in a home, eyeball to eyeball with someone and say, Hey, how can we make your life better? What can we do to fix it? I mean, you're, you're truly blessed when you find someone who actually cares that much. So thank you for what you do. Let me see if we don't have any more questions for you. Well, I think we do. Senator Lowe.

LOWE: Thank you. And thank you, Director. And thank you for what you do for the veterans, especially out in the Kearney, Grand Island and the central Nebraska Veterans Home and trying to, to get that to where it needs to be because it's a huge effort and it's tough to employ anybody because every business is short. How about the military and veterans student centers in our colleges? Are they being received well

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or are they working out well? What can we do to help the veterans become educated and to join the society once again, once they return?

JOHN HILGERT: Well, a couple of things, Senator. Certainly they're not under our purview-- a state agency, but we do work closely with them and we have a lot of references going back and forth. When there's a request for a state service officer or a benefits fair to be held at a community college or a college or university, we'll certainly participate in that. Nebraska has been blessed-- well, first of all, I have an amazing team. So I just, I just am with the-- part of the team. But traditionally, Nebraska ranks very, very high on the student veterans involvement. And the University of Nebraska at Omaha, University of Nebraska-Lincoln and others, they traditionally remain very, very high [INAUDIBLE] community college, others. I could name them all. So there's a high level of engagement. We are-- there's a lot of people looking for veterans to hire. And if you're listening to this right now and if you're a veteran and if you're unemployed, please contact our office. I'll certainly try to hire you first, because I still have some openings, but I know the Colonel would hire some as well. I mean, they're sought after. People understand that, that veterans are-- that they have the training, they have a discipline. They show up for work, they have a great work ethic. And Nebraskans generally have that then to put the moniker of veteran on top of a Nebraskan, I think you really get a special prospect to interview for a, for a job. We also have done something which is kind of interesting, is we have an annual welcome home picnic, if you will. We-- I was walking over to the Governor's Office one day, and it happened to be a Thursday or Friday, I forget which. This was years ago. And I was looking at the Governor's mansion and they're setting up the pavilion and whatnot for the tailgate parties, this is tradition, that decades and decades we've had these tailgate parties. And I go, well, those things are set up in advance. So I asked the Governor, I said, can I borrow your backyard. And I mean, you have this set up, you have all the chairs and tables. So what we do is we invite every veteran in their family that has been discharged for the 12 months prior to a backyard barbecue at the Governor's mansion. And it's turned into kind of a-- it's a neat tradition, and we get a couple hundred people there. I have hired from those people that have gone there, and it's a little sneaky because we don't call it a benefits fair. It's a backyard picnic kind of thing. But what we do is we have different tables. We invite different state agencies, veterans groups and other veterans organizations to be dispersed in tables throughout the area. So, you know, the kids can be playing, you know, cornhole or something like that. And dad could be talking or mom can

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be talking over here to a potential job prospect with the Department of Labor. And that's been very, very well-received. We hope we're going to continue that, hopefully, too. So there's just a lot of welcome home ideas. Every veteran that is comes back to Nebraska, we mail them a large packet of information, not-- from the U.S. VA, how to contact our agency, how to contact a state or a county service officer, welcome them in-- welcome-- welcoming them home. We have a QR code so when they pop that we can keep metrics. We, we've over the last eight years, I've learned to count things, right? So we count those and we have metrics there and so we can see how many people are using it. And that's very well-received too. So I think there's a lot of effort and I think it's very successful. I think people feel welcome and we're always looking for new ways. And there's a few ideas I have that I might throw out there in the next year or two.

LOWE: Thank you.

BREWER: All right. Additional questions? Senator Hunt, you had one?

HUNT: Thank you. I don't have a question, but I would be remiss to not thank you as well for your service to Nebraska throughout your career. And I also, of course, want to shout out your daughter who's become like an Instagram friend of mine, and you should be proud of your work and also proud of your children.

JOHN HILGERT: She, Senator, Caroline texted me immediately prior to this hearing and said, my friend who's a page said, hey, your dad's getting confirmed today. So she wanted to wish me luck. And thank you for the support of you and the entire body that you give to these pages. It really helps and gives them another dynamic part of their education, and so thank you for having the program. Thank you.

BREWER: All right, Senator Raybould.

RAYBOULD: OK. Director Hilgert, thank you so much for taking the time to meet with me. And in our discussion, you talked about veterans homes--

JOHN HILGERT: Yeah.

RAYBOULD: --and capacity. So and the workforce shortage that you're experiencing. When it comes to veterans home and forecasting the needs and the space and the availability, what do you see in the future for our veterans? Do you have the capacity and, and like where do you think it's going? And then if we don't, can veterans get placed in other nursing home facilities?

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JOHN HILGERT: Definitely. Most of the veterans that come into our veterans homes are coming from another long-term care facility, either at a lower acuity or the same acuity. And there are some that do come from the homes. They're private residents with an apartment or a house. We have a waiting list. We have bricks and mortar, beds and sheets, but we're looking for more staff. About approximately 170 openings right now. We-- our budget that we had submitted and that it's part of the Governor's budget does fund what we believe we're going to be able to hire over the next biennium. So we're going to keep hiring as we're able to hire. We will admit more until we're at full capacity. Projecting out, I saw a historical document. I don't know where it is right now, but when I first took this job, I was going through the files, looking at things. And it was about veteran population. At the time we had probably 148,000, 150,000 veterans in the state. We still had a number of World War II veterans. And I looked at this document from the U.S. VA, and it, and it said that we have 26,000 veterans in Nebraska. And I looked at that document, flipped over to what it was, and it was written, I think, in 1962. And they did not anticipate Vietnam, they did not anticipate the Gulf War. They didn't anticipate-- the only people that don't, you know, believe that we're going to have more veterans is the VA and the clergy. I mean, we're going to have veterans forever. The, the call to serve and the call to defend this nation and her interests around the globe is going to be continuing. You don't have the battleships where you have, you know, 5,800 sailors anymore. They're smaller and you have fewer people, but you're always going to have the veterans. I think that our state is adequately-- at this point is adequately built, the infrastructure regarding veterans homes and so forth. So we do have the capacity. We need more, you know, we need to have the staff. We need to hire more. And that's a multifaceted issue as well. We appreciate the administration's support and continuing support for additional salaries and so forth for our teammates. But to grow Nebraska is something that we're going to have to do in order to care for not only our veterans, but teachers and state patrolmen and everyone else, of the shortages that we're facing. So I don't believe we need to build more homes. I think we always should have an eye towards modernization and trying to make things a little bit better where we can. And there's federal assets out there that we can access when those days come.

RAYBOULD: OK. Thank you.

BREWER: Thank you. Senator Sanders.

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SANDERS: Thank you, Chairman Brewer. Thank you for serving and your willingness to continue to serve. I've known you for about 20 years now--

JOHN HILGERT: At least.

SANDERS: --and it was very accidental. Because you list your accomplishments and your achievements, but not some of the other things that you go above and beyond. So my husband and I started a senior retirement complex and our very first Veterans Day event, it's in Bellevue. We need to do this. And I'm not sure how you even heard about it, but you showed up at our first annual-- and that's always stayed with me. And--

JOHN HILGERT: I remember that day.

SANDERS: --down the road, we've been able to work together many times. So, so you're always in the background doing more than what you list. And for example, today in the Warner Chamber, there was a wonderful veterans event. So I want to thank you for that.

JOHN HILGERT: You're very welcome.

SANDERS: If there's something we can do as a Legislature, please let us know.

JOHN HILGERT: I will certainly do that. I appreciate that.

SANDERS: Thank you.

BREWER: All right. Any additional questions? None? John, thank you.

CONRAD: Feeling left out but.

JOHN HILGERT: Thank you so much.

CONRAD: If I can third everything that's been said.

BREWER: All right. Thank you.

JOHN HILGERT: Thank you.

BREWER: All right, while we wrap things up, are there anyone here to testify? All right. In that case, we will close our appointment hearings for the Government, Military and Veterans Affairs Committee. And we'll close our hearings for the morning.

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[BREAK]

BREWER: Good afternoon and welcome to the Government, Military and Veterans Affairs Committee. I'm Senator Tom Brewer from the 43rd Legislative District and I'm the Chair of this committee. The committee will take up bills today in the order posted on the agenda. Actually, we're doing appointments today. Our hearing today is your public part of the legislative process. This is your opportunity to express your position on legislation or appointments that are before us. The committee members might come and go during the hearing. It's just part of the process. They have bills to present in other committees. I ask that you abide by the following rules to better facilitate today's meeting: please silence or turn off any phones or electronic devices that you might have. Please move to the reserved chairs when you're ready to testify. These are the chairs in the first two rows. We won't worry about a complicated process of moving chairs because I don't think we have enough people to worry about it. All right. Normally it would be the introducing senator. Today, it'll simply be the individuals that are receiving appointment that will come up and speak. If you do want to speak on behalf or for, against or neutral on any of the appointees today, please pick up a green sign-in sheet. Fill it out completely, which would include the phone number, clearly so we can read it. Some have asked about phone number-- added, just simply, so if there's a question about your testimony, they can call and make sure they get it correct. We're not selling your numbers. All right. There will also be available a white sheet if you want to just record the fact that you were here for the hearing today and you can also, on that, indicate whether you are for or against or in neutral. If you have handouts, we'll need 10 copies of them. If you don't have 10 copies, let us know. We'll have a page assist in making some copies. If you've come here to testify, we ask that you please speak clearly into the microphone. Tell us your name, then spell your name, first and last. We'll be using the light system here. Five minutes. That-- the appointees-- we will simply take as long as we need to gruel you and ask questions, so don't worry about that. We ask that no displays of support or opposition for the bill, vocal or otherwise, will be allowed. Understand, that's for the folks in the crowd, not the individual who might be in the chair. Committee members with us today will introduce themselves, starting on my right with Senator Conrad.

CONRAD: Hello. Good afternoon. I'm Danielle Conrad from north Lincoln.

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RAYBOULD: Good afternoon, everyone. I'm Jane Raybould, Legislative District 28 from Lincoln, central, heart.

SANDERS: Good afternoon. Rita Sanders, representing District 45, which is the Bellevue/Offutt community.

LOWE: John Lowe, District 37, Kearney, Gibbon and Shelton.

BREWER: Senator Sanders is the Vice Chair. Dick Clark is the legal counsel. Julie Condon is the committee clerk. And this afternoon, we have Logan and Audrey. Yes, we do. Just double checking there. All right. And we'll go ahead and jump into our appointments for today and first up is Andrew. Come on up. Whenever you're ready, go ahead and just start sharing information with us.

ANDREW REUSS: Thank you, Chairman Brewer and members of the committee. My name is Andrew Reuss. I'm a resident of Elkhorn, Nebraska, a graduate of Hillside College and a proud constituent of your colleague, Senator Linehan. And I'm honored here-- to be here today as an appointee to the Nebraska Accountability and Disclosure Commission because the state and its people mean the world to me. I'm grateful to raise my family here with my wife, Alex, our daughter Lincoln [PHONETIC], our son Clive [PHONETIC] and God willing, another son or daughter that we're currently pursuing through adoption. I'm grateful to own and operate my own business here, Penn Ave Strategies, a communications and writing firm, as well as to work with some incredible clients across the state. And now, I'm grateful for the opportunity to serve Nebraska and the people who live here. I spent much of my career serving in government in our nation's capital. I saw firsthand how crucial transparency and accountability were to ensuring our freedoms, expanding our prosperity, and encouraging our happiness as Americans. Now, I hope to help promote good government as part of the Nebraska Accountability and Disclosure Commission. Every Nebraskan deserves equal protection under the law, no matter who they are or where they come from. And as a member of the Commission, I will always do my best to uphold the law as it is written and to work with the whole of government as appropriate to ensure that justice is done. I appreciate your consideration today and I look forward to answering any questions, assuming they're not too tough and I know the answer.

BREWER: All right. Glad you set the standard there. OK. Let's go ahead and see what questions we have for you from the committee. All right.

CONRAD: Go ahead.

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LOWE: No, after you, after you.

BREWER: Ladies first.

LOWE: Ladies first.

CONRAD: OK.

BREWER: Senator Conrad.

CONRAD: Thank you. Good afternoon. So thank you, Chairman Brewer. It was so nice to connect just a few minutes before your hearing here today, Andrew. All right. Let me make sure. Reuss?

ANDREW REUSS: Reuss.

CONRAD: Russ? Reuss.

ANDREW REUSS: Just like Dr. Seuss.

CONRAD: Got it. Seuss, Reuss. Got it. OK. You know, I just very briefly had a chance to look over some of the materials and information that you provided in support of your gubernatorial appointment and for the committee to consider at this confirmation hearing. And I really appreciate all citizens' commitment to public service in, you know, working at various levels of, various levels of government to assist with key public policy issues, do constituency work. I think that is an incredible learning experience and I think it's incredibly patriotic. And I really admire the staff that serve across our state and across the political spectrum, 100 percent. That being said, we have always prided ourselves at the Nebraska Accountability and Disclosure Commission with taking a fiercely nonpartisan approach to their important work because they need to have the confidence and the credibility for all citizens and all office holders across the political spectrum. And I'm happy to, to continue the conversation later if you didn't have a time to gather your thoughts in this regard yet, but I, I am trying to get a better understanding of how the lens that you bring into your work will fit that nonpartisan mold. And I know that we specifically choose people based on their partisanship to ensure balance in the commissioners. But I know that many of the people who've served as Democrats, as Republicans, as independents, have really taken those, those party hats off when they're doing that, that commissioner work. And I know that-- you know, we see an increased level of partisanship in this institution and when you've been working on the federal level, I mean, that's like the big leagues of partisanship for a lot of different

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reasons, so can you just help me understand a little, a little bit more about that? Because it would definitely bring some skepticism for me to have any appointee to the commission, regardless if they were a Democratic operative or if they were a Republican operative or a libertarian operative to be kind of in that, that really important role. So just, just wanted to put that on the table.

ANDREW REUSS: Sure. Sure. No, and, and, and it's a great question, Senator Conrad, and, and definitely appreciate that a lot of the folks that I've worked for and worked with in my career have had an R behind their name. A lot of them had a D behind their name and an I behind their name. I spent a number of years working in the Department of Justice. Some of the most brilliant lawyers and legal minds that I ever worked with did not share political philosophy with the folks that I wrote speeches for. They did their job and they administered the law, regardless of their own political philosophy. And that's the luxury that I would find myself in, in, in the position of if I were to be able to be part of this commission. You all write the laws. It's our job just to administer them as written and we get to set aside our own political differences or political thoughts, and we get to administer exactly how you write the laws. So, I would approach the work with that same philosophy in mind. And I've seen that the council has done that, the commission has done that in the one meeting that I was able to attend last month and hope that I'd be able to, to do the same.

CONRAD: Great. And, you know, I was looking at the list of current commissioners, and I see, you know, incredible colleagues that I had a chance to serve with: Senator Kate Sullivan, Senator Tom Carlson-- really different approaches in, in terms of their political perspective, but incredible friends and great-- and incredible public servants who I think take their work equally seriously and with a similar lens. So I, I really appreciate your responsiveness in that regard. You did mention, are you still working as a speech writer? Do you still do that kind of work?

ANDREW REUSS: I'm-- yeah. I, I run my own communications shop.

CONRAD: OK. Do you presently or plan to have any clients that would be under the jurisdiction of the Nebraska Accountability and Disclosure Act? I was just trying to think through if there would be any sort of, you know, potential conflicts with, with clients that you were working with--

ANDREW REUSS: Sure.

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CONRAD: --on political endeavors that might be-- you know, come before the commission if they had a campaign issue or whatever or--

ANDREW REUSS: Yeah.

CONRAD: --something.

ANDREW REUSS: Currently, I do not write for or work with any political candidates.

CONRAD: OK.

ANDREW REUSS: And certainly, at any point in the future, if there were anything that appeared to be a conflict of interest, I would work with the staff at the Commission--

CONRAD: OK.

ANDREW REUSS: --to make sure to remove myself from any consideration that had that.

CONRAD: All right. Very good. And then, I also noted and I don't need to go into a lot of detail about it, but you also work in philanthropy a bit--

ANDREW REUSS: Yes.

CONRAD: --and I know that those worlds, the political and philanthropic worlds, frequently intersect in a lot of different ways. Is that work centered in Nebraska as well, or is it broader than--

ANDREW REUSS: All over the country .

CONRAD: --beyond our borders?

ANDREW REUSS: All over the country.

CONRAD: OK.

ANDREW REUSS: I'm very lucky to work with a lot of groups doing some incredible work, some in Nebraska, but, but really all over the country.

CONRAD: OK. And that's really also more on the communication side of things?

ANDREW REUSS: Correct. Yeah.

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CONRAD: OK. I think, I think that'll do it for now. Thank you so much. Thank you. Thank you so much.

BREWER: OK. Any additional questions? Senator Raybould.

RAYBOULD: Yes. Thank you for your willingness to serve. I have to tell you, out of all the agencies in the state of Nebraska, I love the Nebraska Accountability and Disclosure Commission and Director Frank Daley is exemplary. And I've been in political campaigns and an elected official for 12 years. I can't tell you how grateful I am to have an agency that helps me, works with me when I make mistakes or miscalculations. They're willing to help and assist. They're not willing to follow strictly the letter of the law and try to, you know, hang me out to dry or make me a poster child. That philosophy is so refreshing, to have every one of the staff members willing to help. So I wanted to ask you, like, tell me about your philosophy when you sit on that, because, you know, we-- I have a partisan hat on. And I'm not wearing it today, but, you know, but we kind of are who we are sometimes. And so tell me a little bit about your philosophy. I know you said you know the laws are very clear, it's my job to uphold the law, but I mean, is a, com-- you know, on the commission, what is your philosophy?

ANDREW REUSS: Yeah, that's a great question. I'll start by saying I tried not to take it too personally that Frank decided to retire this year right after my appointment was announced, so that's still sort of cause for consternation. I'm still trying to get over that because Frank has just the most stellar reputation of just about any public servant I've had the, the good fortune to work with, so we're going to miss him dearly, and it's, its a true loss. But Senator Raybould, Raybould, that's a great question. And the law has both a letter and a spirit. The letter of the law, obviously is, is what all of you put forward in writing. The spirit of it, though, is laws are not made to be broken, they're to encourage people not to break them. And when at all possible, when the circumstances are that-- it's, it's clear that there are ways to discourage people from breaking the law before they do-- by working with campaigns, by working with candidates in a proactive manner. I think that it's absolutely, insofar as it's part of the commission's job to, to perform that action and to encourage people to stay within the letter of the law as much as possible. I certainly think that there's a proactive element to it.

RAYBOULD: OK. And then, I know you said that you don't currently have, represent or work for any candidates, but do you currently work for any Nebraska elected officials?

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ANDREW REUSS: No.

RAYBOULD: No. OK. All right. Well, thank you.

ANDREW REUSS: Thank you.

BREWER: OK. Any other questions for Andrew? All right. Thank you for your testimony.

CONRAD: Thank you.

ANDREW REUSS: Thank you, Senators.

CONRAD: Nice to meet you. Thank you.

BREWER: OK. We'll take proponents for Andrew. We'll take opponents for Andrew. We'll take neutral for Andrew. All right. Seeing none, we will move on to our next appointee today. Frank, I want you to know, I was disappointed. I thought I was going to get to hear you, but--

FRANK DALEY: Well, you'll have plenty of opportunity this session, I believe, Senator.

BREWER: OK, well, that's a promise. I'll take it that way. All right. Ed, welcome to the Government Committee.

ED TONER: Thank you very much, sir. Good afternoon, Chairman Brewer and members of the committee. My name is Ed Toner, E-d T-o-n-e-r. Since 2015, I have held the position of chief information officer for the state of Nebraska and head of the office of the CIO. I was reappointed to the position by Governor Pillen on January 17 of 2023. I have over 25 years of IT management experience in the private and public sectors. While at TD Ameritrade, I directed IT operations strategy formulation and implementation that included the incorporation of six successful mergers while, while earning a certificate as a Six Sigma black belt. At First Data, as director of IT global infrastructure and operations, I led the team of IT architects and performance engineers who modernized 14 front-end authorization platforms. I have also led transfer-- service transformation projects and teams located in the U.K., Slovakia, and in Argentina, resulting in enhanced productivity and quality. I have a varied background which includes working several years as an industrial engineer in manufacturing, which exposed me to various quality and efficiency programs. I hold a Bachelor of Science degree in Industrial Distribution from Texas A&M University. During my nearly eight years as Nebraska state CIO, recognizing that the state's siloed

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and disparate legacy agency approach could no longer address the growing and changing needs of the citizens and taxpayers, the office of the CIO looked for a better solution to provide enhanced services through a consolidated IT environment. Nebraska's consolidation is one network, one domain, centralized management of geographically separated data centers. Hardware managed by the office of the CIO, servers located in only the data centers-- the two data centers managed by the office of the CIO. Enterprise Applications are managed by the Office of the CIO. However, agency applications or eight applications that are specific to an agency are managed by the agency, but the technical infrastructure is managed by the office of the CIO. Applications that are specific to an agency are managed by the agency business teams, which allows them full control of their line of business. Line of business services consist of those differentiated services core to the strategic mission of each agency. The former decentralized approach to technology came at a much higher expense, as IT fails to optimize resources, fosters the duplication and application-- of applications and disparate infrastructure technologies. Consolidation reduced technology resources by 77 FTEs and 16 contractors, eliminated 6,000 square feet of agency-specific data centers. More than 500 servers were eliminated. Agency support positions located outside of the Lincoln area were consolidated into eight separate service centers with existing staff. This allowed us to locate technical support closer to the customer and gives us the ability to recruit from multiple rural areas of the state. In 2020, the OCIO was presented with the responsibility of transitioning a large number of state teammates to a remote working environment. Because of consolidation, the infrastructure necessary to deliver this responsibility was already in place and already functioning. Since consolidation completion in 2019, we see a steady increase in quality with high availability metrics and high customer satisfaction ratings. I thank you for your time and at this time, I'd be happy to answer any questions you may have.

BREWER: All right, Ed. Let's see what we have for questions for you. Questions? Senator Lowe.

LOWE: Thank you, Chairman Brewer. And thank you, Mr. Toner, for being here. And this question may have-- potential of your position or not, but one of us up here has an iwatch [LAUGHTER] and he struggles getting this tone to come off. Do you know anything about that?

ED TONER: I know nothing about it, because, of course, the Legislature is totally walled off from us. Right. So you are a separate entity, so

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you have your own IT and we discourage the use of any type of apple products.

BREWER: All right.

LOWE: Thank you very much.

BREWER: I feel a bit like a criminal. All right. Let's see--

ED TONER: But I thank you for the question.

BREWER: --if we have any other questions. Any other questions?

CONRAD: Oh my gosh. Thank you, Chairman Brewer.

BREWER: Yes, Senator Conrad.

ED TONER: Senator.

CONRAD: Hi. Nice to see you.

ED TONER: Nice to see you.

CONRAD: Thanks so much for coming in. I just had one question, Mr. Toner. Can you help me to get an understanding about how your position will interface with Governor Pillen's initiative to create kind of a separate broadband director or czar? I'm not exactly sure--

ED TONER: Yes.

CONRAD: --what the title of or-- of the new agency or agency position that he was talking about, which I think makes a lot of sense to bring a, a significant amount of focus to ensuring we have broadband reliability and access across the state. But can you help me understand how your work would intersect or complement or perhaps, be a checks and a balance to, to that new position?

ED TONER: That is a great question. And I met with the PSE and, and others and we discussed this. We are more a support organization. So I chair the Rural Broadband Task Force and I have someone on staff that collects data. So we're really the data arm of what we can supply. We find out where are the areas that don't have connectivity, where are the areas with the low levels of connectivity? We also try to find out, you know, what is the pricing? Is it equal? Is there equity across the street-- the state? We're responsible for digital equity. And so I hope to be a contributor to that office is, is what I would,

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I would assume that my, my role would be in that, that newly formed department.

CONRAD: Very good. Thank you. Very cool. Appreciate that. Yeah.

BREWER: That was a really good question.

CONRAD: Well, thank you.

ED TONER: It was.

BREWER: You're hitting on all cylinders this afternoon. All right. Other questions? All right. Thank you.

ED TONER: Thank you all.

BREWER: Very impressive resume.

ED TONER: Thank you, sir. Thank you all.

SANDERS: Thank you.

ED TONER: And have a great afternoon.

BREWER: All right. We'll have a slight delay to switch out some nameplates here. Hint, hint. Very good. Jason, welcome back to the Government Committee.

JASON JACKSON: Thank you, Colonel.

BREWER: Whenever you're ready.

JASON JACKSON: All right. All right. Good afternoon, Colonel Brewer, members of the committee. My name is Jason Jackson, J-a-s-o-n J-a-c-k-s-o-n, and it's a privilege to be in front of you and have time to talk with you this afternoon and an honor to have been reappointed as Director of Administrative Services by Governor Pillen. I'm proud to be joined today by my wife, Gina and our children. This is actually my family's first opportunity to kind of serve as the second house, as it were. So thank you all for making them feel so welcome.

LOWE: Are they here in opposition?

JASON JACKSON: Don't pose that question [INAUDIBLE] sir. I don't know how they would answer. But we've made Nebraska our home for these past nearly seven years now and just feel so fortunate to call Nebraska

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home. So privileged for the opportunities that the state has afforded us and the relationships and friendships that we've been able to build, which is one of the reasons I'm really grateful for the opportunity to serve in state government and give back to our state and our community since it's given so much to us. I've spent the majority of my career in public service. I graduated from the Naval Academy and served in the Navy for eight years. I'm a veteran of the War on Terrorism and Operations Enduring Freedom and Iraqi Freedom. And after my military service, I went into the tech industry and human resources management and operations management. Along the way, I picked up a graduate degree in political science and a law degree and then returned to public service when I joined Governor Ricketts' staff in 2016 as his chief human resources officer. That's a role I held for two years before being selected to serve as Director of Administrative Services in December of 2018 and subsequently having been confirmed by the Legislature on the recommendation of this committee. I am-- well, Administrative Services generally provides the back office business operations for support for state government. Our portfolio is pretty broad and includes real estate and facilities management, risk management, employee relations and labor negotiations, personnel and human resources management, transportation services, accounting operations, procurement, mail and surplus property services. So I think my background of kind of generalized operations management and human resources has really prepared me well for the role and has contributed to some of the successes we've enjoyed over the past several years. I'm really proud of what the team has accomplished in recent years. Some particular achievements that I would just highlight for the committee include the promulgation of the state's first ever real estate strategy, which is focused on reducing our commercial real estate spend while creating convenience for our constituents through the creation of one-stop shops and agency collocation. We've also increased the diversity and accessibility of state government, and we've increased minority participation in our state workforce by over 30 percent. We've authored the first ever ADA Charter and invested over \$3 million in building accessibility over the past several years. We've had enormous success from a labor management perspective, having negotiated several historic labor agreements that have really been win-wins for both labor and management, including significant market-based wage adjustments, but also pay for performance and more managerial discretion about compensation decision making. We've been focused on efficiency and effectiveness, and through our Center of Operational Excellence, we've trained over 15,000 teammates in Lean Six Sigma principles, led over 900 process improvement initiatives, and saved taxpayers over \$100 million. And perhaps most significantly

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was the opportunity to really bring our operations management expertise to bear alongside the public health response of the pandemic, leading on things like PPE procurement, establishing Test Nebraska, standing up our contact center that led the contact tracing efforts, supporting the pandemic relief funding that was coming into the state, and consulting with our sister agencies on business continuity practices, all of which contributed directly to the state's number one rating among all states in terms of pandemic response. I've also been very privileged and appreciative of the relationships I've been able to develop over the last several years with members of the Legislature and some of the achievements we've enjoyed together. In my first year in state government, I was able to work with Senator Bostelman on LB639, which extended our veterans hiring preference to the active-duty military spouses. I had the opportunity to work with then-Senator Ebke and Senator Albrecht on reform of the Nebraska State Patrol with LB791. Your committee counsel, Dick Clark, was heavily involved in that. And Senator Conrad, I suspect you played a role in that as well. And that really increased transparency into our State Patrol internal investigations process, while also strengthening our statewide sexual harassment reporting procedures. I had the opportunity to work with Senator Ben Hansen on bringing Nebraska into alignment with the emerging best practice among states in terms of travel reimbursement for state teammates and bringing Nebraska into a per diem based reimbursement model. And then last year, I had the opportunity to work with Senator Arch on LB1037, which will really modernize our procurement practices and take ourselves from a paper and manual-based procurement practice to a digital and electronic practice. And then, of course, Colonel Brewer, perhaps the most fun was working with you on LR271 that designated two of our state buildings, the first Nebraska Volunteer Infantry Building and the Chief Standing Bear Justice Administration Building, respectively. And that was-- that was a great project that really brings a lot of esteem to some of our buildings here in the Capitol environs area. So there's a lot of achievements that our team is very proud of, but there's also significant opportunities that are enduring areas of focus. Foremost among those is our state procurement operations. We worked closely with the LR29 Committee on-- that looked into the privatization of child welfare services generally and the St. Francis procurement specifically. And that committee identified a number of opportunities with respect to our state procurement practices. And then subsequent to that, we had a independent study done by a consultant that further identified opportunities from an looked-- examined end to end procurement operations and identified a number of opportunities. Foremost among those is basically Nebraska has a very antiquated

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statutory scheme around how we handle procurement practices that is overly reliant on the lowest responsive bidder, and that's directly contributed to some of our procurement difficulties in recent years. We worked directly with Speaker Arch on LB461 that will represent a once in a generation comprehensive procurement reform and look forward to talking to the committee more about that bill when it's up for its hearing next week. The other significant area of opportunity is our accounting division operations. And I do have a couple of exhibits that I thought I would hand out that would just give committee members some context. We've had-- we've underperformed our own expectations of ourselves with respect to our annual comprehensive financial report in two of the last three years. The slide that you're about to see first kind of lays out the timeline of some of the challenges the Accounting Division has had with respect to the Annual Comprehensive Financial Report. And what it-- what it shows is I was hired as Director of Administrative Services in December of 2018. And not having an accounting background myself, I did what many of you would probably do if-- in your own businesses, as you go out and find the best person you can with subject matter expert-- expertise in that field. And so I was very fortunate to be able to hire Phil Olson from the Auditor of Public Accounts, who came to us with ten years of experience in the APA's office directly working on the act for audit. Our first year together as a team, we had a completely clean, unmodified opinion, which is the best that you can do. And then the pandemic hit. And this is where I had a critical leadership mistake. When the pandemic struck, we-- and we had \$2.4 billion in federal aid that came into the state. Those were new fund management obligations. I didn't scale the team up fast enough to meet that additional operation demand. As a consequence, the team was laser focused on our pandemic response and those fund management obligations and the blocking and tackling run the business activities like the production of the annual comprehensive financial report was underresourced. That contributed directly to the adverse audit we had in fiscal year 20. And you can see that we had a disclaimer of opinion from the Auditor of Public Accounts and about \$20 billion in errors. That was our first indication that we had significant challenges in accounting division and we immediately went into an all-hands-on-deck approach to get that fixed and getting our accounting operations and practices up to speed. We leveraged process improvement and performance management, and we did that right away, but it was too late to make a difference on the FY '21 audit. The FY '20 audit occurred and we were already halfway into fiscal year '21 at the time that that occurred. So although we had-- that was our foremost priority and we threw every available tool at our disposal into that process, it did-- it improved things but

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didn't make enough of a difference for fiscal year '21. We doubled down. We brought in Deloitte to assist with preaudit and consultation and we also staffed up the team to eight accounting professionals with over 50 years of public finance experience, which is a very niche technical skill. And then the other thing we did to overcome kind of the operational challenge of having a decentralized accounting structure across the state, in other words, all the agencies have their own financial resources. We rely on their work product, aggregate that all together, and that becomes the annual comprehensive report. For the first time this past year, we created a war room type of environment to get all of those people working together. And collectively, those efforts have now borne fruit. If you refer to the bar graph, you can see that kind of shows the trend line in terms of our adjustments that had been made in-- in response to the audit. You see the-- the bad audit in FY '20; improvement in FY '21; and in the current year, less than-- relative to our net position, less than a 1 percent error rate, which represents our best performance since calendar year 2014. We just got the Auditor's opinion earlier this week and it was a completely unmodified opinion, with one exception, and that's an enduring challenge area, and that's the Department of Labor Unemployment Insurance Fund. So we're far from declaring victory. We're not spiking the football. What we wanted, our enduring goal will be a completely unmodified opinion in all areas of our accounting operations with a diminished error rate in every successive year. And so that's kind of-- but hopefully these materials in that context give the committee and Legislatures who have been justifiably concerned, we want to own the outcome, we want to be accountable. But hopefully that gives the committee and your colleagues the reassurance that we have the right plan, we have the right team, and we're trending in the right direction with respect to our organizational performance. So that is all I had prepared to share with the committee today. With that, I'd be happy to stop and entertain any questions. Thank you. Colonel.

BREWER: That was a lot. That's a lot of information. Thank you. All right. Let's run around and see if we have questions for you. Senator Lowe.

LOWE: Thank you, Chairman, and thank you, Director Jackson, for being here and bringing your platoon--

JASON JACKSON: Yes, sir.

LOWE: --with you. It's good to see young people in here. I was standing outside the Chief Standing Bear building, admiring the new

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statue-- statue that's out there, the sculpture. And you walked up and you had mentioned that you were going to be leaving for a National Guard event. I didn't realize you were still in the service. So thank you for your continued service and your post service. How's that working out with your position? And-- and again, thank you for continue on with the National Guard.

JASON JACKSON: Oh, thank you. Appreciate it, Senator. And thank you for the question. It's working out very well. So I did separate from the military during my first stint of service in 2010. And at that time, we were growing our family and I was pursuing my graduate studies. And so it just wasn't the right season in my life. But now it's been an honor to resume my service and put the uniform of the country back on and particularly with the team at the Nebraska National Guard. It's been a great fit and it's been very complementary to my work in state government. You mentioned, and I only recently in December got back from a four-month stint on active duty and I wasn't in harm's way, but I was going through basic training and going through the Judge Advocate General's course in Charlottesville, Virginia. And that's my role on the team at the JFHQ is I serve as a judge advocate for the Nebraska Army National Guard. And it's really extremely fun work, very rewarding. Basically, we support soldiers who are about to deploy with things like their wills and their powers of attorney. And if a landlord is giving them a hard time or something like that, we can help them through those types of things. So it's really-- it's really-- it's really fun work and very rewarding to help soldiers prepare that are going in harm's way and make sure that they have the reassurance that everything on the home front is all taken care of. But I also appreciate the question because I know there had been some inquiry. There's a-- a statute with respect to agency directors and a prohibition in terms of holding office in other areas and some concern that that might actually be a bar to military service. We-- and I appreciate Colonel Brewer introducing a bill this year that would address the ambiguity in the law there. Suffice to say, I don't think there's any legal barrier to my service. Obviously, if that statute were construed that way, that would be at odds with USERRA and the federal prohibition against any discrimination in employment for being a member of the Guard and Reserve. And so there's no real legal barrier to my serving in the role, But I nonetheless really appreciate, Colonel Brewer, you introducing that bill, because I'd hate for others who weren't aware of their USERRA rights to see that prohibition and think that either they couldn't progress their careers in state government or that that was a barrier to them serving

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and wearing the uniform of their country. So thank you, Colonel, for introducing that bill.

BREWER: Thank you. Thank you for your service. And yes, we're moving ahead with that. I-- I, well, I don't know how to explain why we would have such a rule that just because you're a director, you couldn't serve. All right. Other questions? Yes, Senator Conrad.

CONRAD: Thank you so much, Chairman Brewer. Good to see you again, Director Jackson. And I just wanted to commend you for your thoughtful outreach and candor as I was transitioning back into legislative service and in preparing for this hearing. I-- I really found it authentic and meaningful and really appreciate the opportunity to get to know you a little bit better. The-- the one thing that will not be a surprise to you as we're doing our work here, but, you know, our colleagues are looking at our agendas in our respective committees as well. And so I had a few friends grab us in the hallway who serve in different districts and are assigned to different legislative committees, say, oh, you have Director Jackson in. Maybe ask-- ask him about X, Y or Z. I'll also direct them to ask you about X, Y, and Z. But I know DAS in particular interfaces with really all state agencies for different purposes and different reasons. And so sometimes I think that you have a more prominent role in, you know, some-- some major issues facing other agencies like I'm thinking about you mentioned your work with state-- the St. Francis issue that was really more squarely, I think, in-- in HHS, but of course DAS was involved in that. And I appreciate you lifting that proactively in your comments. Kind of related thereto, I just wanted to provide you an opportunity and try to give you a quick heads up if you could just give the committee an update about where we are kind of with thinking around the YRTC's and in particular, I think maybe it goes to your real estate strategy that you had highlighted and mentioned in your opening comment. So I just wanted to give you a chance to-- to respond or update the committee about kind of where we are with that in your thinking.

JASON JACKSON: Yeah. Thank you for the question, Senator. I appreciate it. Yeah. So generally speaking, when we think about real estate portfolio management, facilities management, my customer is our sister agencies and their programmatic needs. And so what is typical is an agency will tell us, hey, here's our programmatic needs for this respective program. And then we consult with them on how best to meet that need based on whatever their constraints are. So with respect to the YRTC's specifically, you know, we basically take direction from DHHS in terms of having them tell us, hey, here's-- here's what we

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need to best serve this population that we're trying to care for, And then we come alongside them to try to provide the facilities and the infrastructure that best achieves that objective. I think, Senator, your question went to some of the recent changes with respect to the Geneva campus in particular.

CONRAD: Yeah, that's right. Yes.

JASON JACKSON: And so that's been basically something that we've been working on for the past 18 months or so in partnership with DHHS. And again, that's where DHHS makes a program decision about where they need to be and what type of infrastructure they need to support their clients. They made a decision that Geneva was not where they needed to be to serve the young women in their youth-- in those rehabilitative centers. And as a consequence, basically, the Geneva campus became underleveraged once that programmatic decision was made.

CONRAD: OK.

JASON JACKSON: There still are some positions there. They're predominantly Medicaid call center type of positions, I believe. But it is-- it's definitely been an underleveraged asset and frankly, at this point, a liability to the state. And so once DHHS made the decision that the program needed to be elsewhere, that's where we insert ourselves and try to provide expertise in terms of, OK, what's the best thing from a real estate perspective. That campus operations costs are between \$700,000 and \$1,000,000 a year. And so that's kind of the liability of keeping that open is that that's the cost. And whereas, you know, if we were to put, again, the positions being what they are now, basically office workers or contact center type of jobs, there's much more affordable real estate where those types of workers can be situated that would reduce the taxpayer burden. And so that's kind of where we come to bear on it. We had hopes so the-- the-- the campus, perhaps 12 to 18 months ago, was declared vacant and access to the state's needs. We had hopes of being able to forge some sort of public-private partnership to keep that going. There had been conversations with Cedars and the City of Geneva about trying to find some sort of purpose for those-- for those facilities. Ultimately, those conversations didn't bear fruit. And so that was where the decision was made, hey, if we-- if we can't transfer this property to another public entity, then we need to divest the state of it because it is just a liability that costs the taxpayers many hundreds of thousands of dollars. And so the property went for auction. And basically where I would characterize this, the circumstance of the property now is it's basically analogous to an in escrow situation.

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CONRAD: Oh, OK.

JASON JACKSON: And so it still is the state's property. There was a bidder that prevailed. And basically we're kind of in an escrow situation until that sale is finalized.

CONRAD: That's dynamite. Thank you so much. I appreciate the update. And I'll make sure to draw our attention-- our colleagues' attention to that as well that I know were very interested in getting an update there. The other, just not a question, final point. Director Jackson, I really appreciate your comments in your opening in addressing the challenges that you faced as a leader and that your department has faced during, you know, a lot of the headache and heartache that came along with the COVID pandemic and the unexpected challenges that I think we all found ourselves in but, of course, state government as well. And I just really appreciate the candor in addressing kind of how it happened, how you dealt with that once you identified an issue, and then kind of helped us to get a good understanding about kind of where we are today. I mean, I think that's what we want from our leadership is, of course, not to have a standard of perfection, but to have this standard of responsiveness and candor and responsibility. And-- and I think that approach is-- is refreshing in our political environment that I think is sometimes just so divisive. So I really, really appreciate it and I'm happy to follow up with you in your office later. But as a casual citizen, kind of watching the headlines play out before I returned to the Legislature, I was trying to just get an understanding about, you know, the errors in the audit itself. It's not as if the state lost \$20 million, right? I mean, can you just give me just a really general sense about kind of what that audit really was illustrating for us as stakeholders?

JASON JACKSON: Sure. Yeah. Thank you for the question and for the kind words. And-- and just in response to that I would say I wouldn't go so far as to say I-- I'm glad those audits happened. That certainly is [INAUDIBLE]. But-- but I would say that as a consequence, our-- our state accounting operations are much stronger today by virtue of having had the opportunity to get those lessons learned. And what's more is I'm a better leader today for having had the opportunity to learn from-- from some of those decisions as well. So the annual comprehensive fine-- the Annual Comprehensive Financial Report is basically our-- our work product to you, the Legislature, that-- that captures all of the state's finance and accounting operations. And so when that report is audit, it's important that it be accurate. It's important that policymakers like yourselves have the right information. And so we take it very seriously. But those mistakes

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represent basically accounting errors that are subsequently adjusted and corrected once the auditors identify them. They don't represent misappropriation, missing money, fraud or the like. So that-- I don't say that to in any way diminish its importance. But taxpayers can be reassured that there isn't-- this isn't a reflection of missing money or anything like that. So thank you for the question.

CONRAD: That's perfect. That was my understanding and I appreciate the confirmation. Thank you.

JASON JACKSON: Yep.

BREWER: All right. Any additional questions? All right. Thank you for your testimony.

JASON JACKSON: Thank you, Colonel. Thank you.

BREWER: OK. Now let's see. We'll start with any testifiers in the proponent. Come on up. Tony. Welcome to the Government Committee.

ANTHONY GOINS: Thank you, sir. Good afternoon, Chairman Brewer and members of the committee. My name is Anthony Goins, spelled A-n-t-h-o-n-y G-o-i-n-s, and I'm the director of the Department of Economic Development. And I'm here to testify in support of Jason Jackson's confirmation as DAS Director. Jason and I have been colleagues since I joined state government in 2019. Coming from the business world, I can say that I value-- what I value about Jason is that he has made DAS an organization that values its customers. He supports agencies like mine as his customers and helps us to overcome obstacles of government bureaucracy so we can serve our citizens. Me and my peers have come to regard Jason as a trusted subject matter expert for all issues pertaining to state government. If we need something done, we call Jason and he gets it done right away. I also want to share that I had an opportunity to work on a very special project that reflects his leadership and reflects his character. After the George Floyd murder, I went to engage with the citizens of North Omaha community to have open dialogue and identify opportunities for the community leadership and business and state government to work together to improve quality of life, business opportunities, and harmonious relationships. When we needed a facilitator to broker those conversations and help us get consensus, it was Jason Jackson that was hand-selected for that task. Jason's values and style enabled him to quickly build trust and move the working group into a positive direction. One of the significant achievements of that working group was Jason's creation of the Procurement Concierge Program within the

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Department of Administrative Services. The program works with small businesses and minority-owned businesses to overcome obstacles of state government contracting, creating more opportunities for black businesses to do business with the state. Because of Jason's character, leadership, and high level of support, he extends to other agencies and state government, I urge you to support his confirmation. That concludes my remarks, and I would be happy to take any question.

BREWER: All right. Thank you, sir. See if we have questions for you. Questions to my right. Questions to my left. None. Thank you for your testimony. And I-- I sometimes hate hanging out with you because you are the sharpest dresser I know. Well, you always look perfect.

ANTHONY GOINS: Well, thank you, Colonel.

BREWER: And I like your haircut.

ANTHONY GOINS: Thank you, sir.

SANDERS: Thank you.

CONRAD: Thank you, Director.

BREWER: All right, next testifier, please. Welcome to the Government Committee.

JUSTIN HUBLY: Good afternoon, Senator Brewer, members of the committee. My name is Justin Hubly, J-u-s-t-i-n H-u-b-l-y. I'm the executive director of the Nebraska Association of Public Employees AFSCME Local 61. Our union represents over 8,000 frontline state employees who work for more than 40 different code and noncode agencies in all 93 counties in Nebraska. It might be a little surprising for some of you to see me here testifying in support of Director Jackson. I'd like to offer a few reasons why. Our relationship on paper is adversarial. I represent the front line state workers in their contract negotiations, and Director Jackson and his agency represent the Governor's interests. From day one when Director Jackson took over DAS in 2019, I was invited to his office and we met with each other and had a pretty candid conversation. I'm a problem solver. He's a problem solver. And even though our relationship on paper needed to be adversarial, personally, it would be centered around respect. I've always felt listened to, and we've solved a lot of problems together over the course of the past four years. The problems that we've solved, as many of you are aware, state government is incredibly short staffed right now. And after a decade of not investing in state employees, we've made solid progress on that. And I

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think our relationship that we set four years ago with Director Jackson has helped us to have candid conversations with each other's best interests in mind, because that's the best interest of Nebraskans who we all serve. And so he has my strongest recommendation for your appointment because of the respect and dignity he has treated me with as well as our members. I look forward to continuing to work with them because we still have a laundry list of problems that we need to look at. I think many times when I call him, he probably thinks I'm crazy, but he takes my call and he listens. And I'm certainly very appreciative of that. I've been doing this work for 18 years now, and I'd be remiss if I didn't say I have worked with countless administrators in state government, local government, school superintendents. And one quality that I don't see as often as you would think you should see as somebody who cares about our country and cares about giving back to its community. And what I've seen Director Jackson in his personal life and his professional life is that he cares passionately about our country. I think that's a quality that we should all look forward to. And he certainly has my admiration for that. So as Senator Brewer knows and I see a couple of familiar faces, but new faces to this committee this session, Senator Brewer knows I usually come with solutions to this committee. So I have a very simple solution for you today. It's to confirm Director Jackson's appointment. I'd be happy to answer any questions for you.

BREWER: Thank you for your testimony. I really mean it. All right. Any questions? That means you did a good job. OK. Next testifier, please, as a proponent or proponent. OK, good. Just make sure I'm clear. Doesn't hurt to ask. Welcome to the Government Committee.

MICHAEL CHIPMAN: Yeah. Thank you. Thank you, Senator. Hi. My name is Michael Chipman. I am the president of the Fraternal Order of Police Lodge 88. You spell my name M-i-c-h-a-e-l C-h-i-p-m-a-n. I am the president of the union that represents correctional officers, the security staff at the Health and Human Services, and at the youth facilities, as well as Capitol Security and at the military facility here in Lincoln. It is my pleasure to support Governor Pillen's reappointment of Mr. Jason Jackson as Director of the Department of Administrative Services. I have worked with Mr. Jackson concerning issues pertaining to FOP 88. Mr. Jackson-- Jackson has always been willing to hear and discuss our viewpoints concerning the safety of our members. He is dedicated to making Nebraska state government efficient and providing opportunities for our members to be successful in employment. He has shown time and time again that he respects the dangerous work that our members do. Having directly observed these characteristics and skills during our labor negotiation, Mr. Jackson--

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Jackson has proven to be qualified and deserving to continue to lead DAS. Although we were on separate sides of the table, Mr. Jackson was always fair and willing to look at our issues from different perspectives, ensuring a positive outcome for all parties. One thing that I wanted my editor to put in here and he didn't is that one thing that I've always admired about Mr. Jackson is that he is willing to do whatever it takes to get the, you know, work done for both parties. A good example of that is the bargaining before this last, he worked until 9:00 at night with us. And I know a lot of state employees say 5 p.m. and we're time to go home. And so-- and he's always been very dedicated. He works very hard. He does amazing work. We really do appreciate it. And so throughout the bargaining process, Mr. Jackson demonstrated an understanding of the value of our teammates, their public service, and public safety. With his assistance, we were able to fill over 400 vacancies within the Department of Correctional Services. Mr. Jackson continues to do his part in making Nebraska the great state that it is. He is a truly dedicated public servant. I support Mr. Jackson's reappointment to Director of DAS. Any questions?

BREWER: All right. Thank you. See about questions. Questions? Yes, Senator Lowe.

LOWE: Thank you. Thank you, Mr. Chipman, for being here. It seems strange that agencies are coming in favor of Mr. Jackson, but it must mean he's doing good work.

JUSTIN HUBLY: He does. You know, he obviously has the state's interest to look into and he does that. But he also realizes that you can't serve the state interest without, you know, taking care of the front line as well. I mean, he does a very good job of doing both. It's a difficult job. I wouldn't want his job so.

LOWE: Thank you.

BREWER: All right. And just so you know, we're still working to get you those vests.

JUSTIN HUBLY: Good. Thank you. Thank you.

BREWER: Thank you.

JUSTIN HUBLY: Yeah, thank you.

BREWER: OK. Any additional proponent testifiers? Come on up. Welcome to the Government Committee.

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NICHOLE REINER: Thank you. Good afternoon, Mr. Chairman and committee members. I am Nichole Reiner, N-i-c-h-o-l-e. I am a retired military officer, current military spouse, and former state employee for the Nebraska Department of Economic Development. I've had the privilege of working with Director Jackson on several initiatives, and I am here to testify in support of his reappointment and confirmation as the Director of Department of Administrative Services. As a veteran and military spouse, my role with DED included several veteran-related initiatives that are near and dear to my heart. Without the support of Director Jackson and his department, progress on many of these initiatives would not have been possible. I have observed firsthand the lengths Director Jackson has gone to and the collaboration that he has encouraged among other departments and agencies to make Nebraska a top tier, veteran friendly state. Since becoming the director of Administrative Services, Director Jackson has been a driving force behind some of Nebraska's most successful and promising programs that will continue to drive economic success for the state, veterans, and veteran families for years to come. Some of these include partnering with Director Hilgert to merge the DHH-- DHHS Division of Veterans Homes with the Department of Veterans' Affairs so that veterans have an in-state one-stop shop for all of their benefits. I cannot stress enough how welcoming that is. Since-- since retiring from the Navy, I found that many of the Department of Veterans Affairs, both within the state and federal organizations, don't talk to each other. So having at least at the state level all of those in one location has been tremendous. He's also negotiated pay raises for staff employed at the veterans homes across the state that have helped to ensure that the residents of the homes get and continue to receive the best possible care. Through Director Jackson's work on LB639 and the Military Spouse Transition Program, spouses of service members stationed in Nebraska have had opportunities to continue their careers with less disruption. This is a program that I witnessed firsthand when I was stationed at STRATCOM. And many of the military members that were assigned to me, their spouses were nurses or teachers, and they were able to continue to progress in their careers despite having to move to another state. Further, at the beginning of 2020, only a handful of businesses across the state were enrolled in the DOD SkillBridge Program that assists transitioning veterans through internships to-- to create a more smooth transition from military to civilian life. Director Jackson made it a priority to work with other agencies to get enrolled in this. And as a result, as well as Director Goins, less than two years later, every state agency and hundreds of businesses across the state are now participants. This helps to ensure that veteran talent is retained within the state, and it has also recruited veteran talent

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from everywhere in the world. Most recently, Director Jackson launched a second service recognition program for state employees that annually recognizes veterans and military reservists who have continued their careers in public service with a challenge coin in-- in honor of serving their country. As a fellow shipmate, I appreciate the mentorship and guidance that he has given me as I transitioned from military to civilian life and went from a dual military household to a military spouse. I know that Nebraska's veterans and military personnel have a strong advocate in Director Jackson, and I know that he will continue making great steps towards Nebraska and its initiative to be a number one state for veterans and their families, while both on active duty and post transition, I'd like to give him my strongest personal recommendation and encourage you to support his nomination. Thank you, and I look forward to any questions.

BREWER: Thank you and thanks for putting all these links at the end. This is quick and handy and sometimes--

NICHOLE REINER: I cannot take credit for that one, sir.

BREWER: Well, it's-- it is still handy to have there so appreciate it.

NICHOLE REINER: Thanks. Absolutely.

BREWER: See if we have any questions for you. Questions? All right. Thank you for your testimony. Next proponent. Welcome to the Government Committee.

BRYAN TUMA: Good afternoon, Chairman Brewer and members of the committee. My name is Bryan Tuma, B-r-y-a-n T-u-m-a, and I'm here to testify in support of Director Jackson's confirmation. My work experience includes approximately 32 years in law enforcement, culminating as the Superintendent for Law Enforcement and Public Safety with the Nebraska State Patrol from 2005 until 2014 or, excuse me, 2011. After a brief stint in the private sector, I returned to state government and was appointed to serve as the assistant director for the Nebraska Emergency Management Agency from 2014 until 2021. And during my time at NEMA, the state of Nebraska was confronted with unprecedented challenges, including a historic flood in 2019, followed by the pandemic in 2020. In addition, a number of other natural disaster events and wildfires required NEMA to work directly with Director Jackson and his team at the Administrative Services. Without Jason's help, we would not have been able to overcome those challenges as well as we did. During the response to the flooding, Jason dedicated procurement and accounting resources to NEMA that helped our

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staff expedite support for communities impacted by this disaster. As NEMA transitioned to recovery efforts, the agency was required to address staffing and project management strategies. Jason worked directly with his contract and personnel team members to find solutions for those issues. Jason's involvement during the response to the pandemic was even more hands-on. Jason was instrumental in organizing the logistic and operations elements necessary to support NEMA, while DHHS managed the public health elements of the pandemic response. Jason and his team took the lead in procuring personnel-- personal protective equipment for healthcare workers around the state, established the Test Nebraska program so all Nebraskans had access to free and quick testing results, and quickly set up contract, excuse me, contact tracing operations to mitigate the spread of the virus within communities. Additionally, DAS was directly engaged with the monumental task to administer \$2.4 million in federal-- federal relief funding allocated to Nebraska. And finally, DAS fulfilled a critical role by partnering with all state agencies on their respective business continuity plans. Jason's operational management expertise provided a key voice in the room as we managed through those emergencies, and Nebraska came through those challenges, in part due to Jason's leadership. Nebraska and Governor Pillen would be well-served to continue to have Jason's operational leadership capabilities in charge at DAS. I strongly support his confirmation. Thank you and I would take any questions.

BREWER: All right. Thank you, Bryan. See if we've got questions. So you were in your current position for both the pandemic and for the bomb cyclone.

BRYAN TUMA: So during my tenure at NEMA, yeah, we went back to back: flood in 2019 and then 2020 with the--

BREWER: And then you had the, I guess, ice storm that almost caused us to lose power.

BRYAN TUMA: Yes.

BREWER: You don't buy any lottery tickets, do you?

BRYAN TUMA: Yeah, I'm a bad guy to hang around with. Bad things happen.

BREWER: I just, I was just wondering when we were confirming on Colonel Bohac, were you at Whiteclay in 1999?

BRYAN TUMA: No, I never did go to Whiteclay. No.

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BREWER: Sometime you should come by.

BRYAN TUMA: Yeah, well, I did go up there with General, excuse me, Attorney General Bruning, and we did some visits. But if you're referencing when we had the--

BREWER: When you had most of the State Patrol coming there for a couple weeks.

BRYAN TUMA: Yeah, the civil unrest. No, I was not there.

BREWER: Well, we can't blame you for everything. Well, you need to come back some time. It's a new place.

BRYAN TUMA: Yeah.

BREWER: It's turned into just a little village and a nice place--

BRYAN TUMA: That's good.

BREWER: --to go visit.

BRYAN TUMA: That's really good.

BREWER: All right. Thank you for your testimony.

BRYAN TUMA: Thank you.

BREWER: OK. Any additional proponent testifiers? Any opponent testifiers? Anybody here to testify in the neutral? All right. Well, with that, we will read in any letters. No letters. So with that, we will close our appointment hearing and our hearings for the day and thank everyone for your time and coming.