

**MURMAN:** Well, welcome to the Education Committee. I'm Senator Dave Murman from Glenvil, Nebraska. I represent the 38th Legislative District, and I serve as chair of the committee. This public hearing is your opportunity to be a part of the legislative process and to express your position on the gubernatorial appointments before us. The committee will follow the agenda order. If you wish to testify on the mic today, please fill out a green testifier sheet. The forms can be found at the entrances to the hearing room. Be sure to print clearly and provide all requested information. If you will testify on more than one agenda item, you will need a new green testifier sheet each time you come forward to speak on the mic. When it's your turn to come forward, please give the testifier sheet and all handouts you might have to the page as you are seated. If you have handouts, we request that you provide 12 copies for distribution. If you do not have 12 copies, please alert the page when you come forward. At the microphone, please begin by stating your name and spelling both your first and last names to ensure we get an accurate record. Observers, if you do not wish to testify but would like to indicate your position on an agenda item, there are yellow sign-in sheets in notebooks at the entrances; the sign-in sheets will be included in the official hearing record. We will begin with each appointee giving an opening statement at the mic, followed by proponents, opponents, and those wanting to speak in a neutral capacity. We will be using a three-minute light system for all testifiers. When you begin your testimony, the light on the table will be green. When the yellow light comes on, you'll have one minute to wrap up your thoughts, and the red light indicates that you have reached the end of your time limit. Questions from the committee may follow, off the clock. A few final items to facilitate today's hearing. Please mute your cell phones or any other electronic devices. Verbal outbursts or applause are not permitted; such behavior may cause you to be asked to leave the hearing room. I will now, now ask committee members with us today to introduce themselves, starting at my left.

**HUGHES:** Yeah, that's the end, isn't it? There's nobody on your right. OK, sorry. That would be me. I'm Jana Hughes-- Senator Jana Hughes, District 24. It's Seward, York, Polk, and a little bit of Butler County.

**MEYER:** Senator Glen Meyer, District 17; Dakota, Thurston, Wayne, and the southern part of Dixon County.

**LONOWSKI:** Senator Dan Lonowski, District 33; Adams County, Kearney County, and rural Phelps County. Good afternoon.

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**JUAREZ:** Senator Margo Juarez, District 5; south Omaha.

**MURMAN:** The staff with us today are, at my right, legal counsel Kevin Langevin, and at my far right is committee clerk Diane Johnson. And if the page would please introduce herself and tell us a little bit about herself.

**KATHRYN SINGH:** I'm Kathryn, and I'm an environmental studies student at UNL.

**MURMAN:** Thanks for helping us today, Kathryn. With that, we'll begin today's hearing with Mr. Clay Smith, a reappointment to the-- by the governor to the Nebraska Educational Telecommunications Commission. Welcome, Mr. Smith.

**CLAY SMITH:** Thank you. Clay Smith, C-l-a-y S-m-i-t-h. Mr. Chair, members of the committee, good afternoon. My name is Clay Smith. I live in Lincoln, Nebraska with my wife, where we've raised our three daughters. I'm before you seeking reappointment to the NETC Commission. To begin with, I'd like to give you a little bit of background. I was born and raised in Lincoln, attended Lincoln Public Schools, and then went on to the University of Nebraska as a freshman on a swimming scholarship. After that year, I actually then matriculated out to Stanford University and finished with two degrees. After grad school, I went and worked in New York in management consulting, and then San Francisco in investment banking before recruited back to my family business back in 1990. I served as the president of Speedway Motors, and the general partner of Speedway Properties. We-- Speedway Motors is an auto parts manufacturer in six states, and our Speedway Properties has renovated and preserved many of the buildings that you see in downtown Lincoln, in the Haymarket and now the Telegraph district. I've also had the pleasure of serving on a lot of local boards. The boards I still serve on in the Lincoln community are Bryan Health, Public Art Lincoln, and the Lincoln Chamber, LPED. Statewide, I've had great experience serving on boards, the Na-- the Nebraska Cultural Endowment, the Raikes School of Computer Science, and the Sheldon Museum. And previously, I served for almost a decade on the Museum of Nebraska Art in Kearney, plus the Nebraska Humanities Council, the College of Business, Nebraska Wesleyan Board of Trustees, the Bemis Center in Omaha, and the Aksarben Council and as president of the YPO. I've been honored to serve under three governors, and am very proud of what's been accomplished during my tenure. I think having a, a commissioner that has long tenure is really helpful through transitions, and also giving a historic, historic perspective in governance. I'm passionate about

Nebraska Public Media. Initially, like many of you, I grew up with NET back then in our home; it offered superior television program to teach, enlighten, entertain, and inspire our family. In addition, the Hulls-- Ron Hull was over 70 years at NET and the program manager; he was a family friend, lived across the street, and I was amazed several times where I was invited over to dinner and someone from NET would be there, like John G. Neihardt. You know, impressions that you have as a young man that impact your life. As such, the commission to me is personal; it's a way to honor people I, I really deeply respect, and also pay it forward. It's also a pillar of national public television system. I've had a chance to go to the APTS conference and see how respected Nebraska is among its peers in the country. In my tenure, I feel like we've made a lot of progress. Early on, we did the digital transformation, significantly helped by the Legislature. Also, a decade ago, we launched the Nebraska Capitol Live, providing that public access to legislative sessions and government activities so all citizens can see. During my tenure, my wife and I also co-chaired the eastern campaign for the Inspire Nebraska \$25 million campaign, where we raised private money to support the mission of Nebraska Public mount-- Television. We also co-chaired the campaign to build the Ron Hull Studio, which was a \$6 million campaign. If you haven't been to that studio, I encourage you to go out and see it; it's really quite-- it's quite amazing. Backyard Farmer is actually filmed in that studio, and it is now the continuous-- the longest continuous running public television series in America. In addition, local programs like Nebraska Stories. You know, they began as a way to celebrate people, places, and culture in Nebraska, and now it's evolved into the hallmark program that regularly creates the essence of our state, showcasing the richness of Nebraska and the contemporary life. We all know about our Nebraska sports: the high school championships that are broadcast, as well as Big Red Wrap-Up, and then also sports like Creighton and Nebraska basketball, women's basketball, volleyball, and others. Baseball. My tenure, I have been active in governance, serving on the finance committee and executive committees. I've also served for three years as the chair of the commission. In addition, I participated in our general manages-- manager searches twice, and with the creation of our strategic plan. And I've been an advocate for Nebraska Public Media among our congressional delegation. If reappointed, I would continue to serve on the finance and executive committees. As the grandson of a Kinkaidier from Stapleton, and with family from Clay Center to Custer County, from Newman Grove to North Platte, I know Nebraska is a special place because of our creative and hardworking people. There are many things that unite us in Nebraska; the Unicameral was one of them. Public power, natural resource

districts, and of course, our beloved football and volleyball teams. In my mind, I think Nebraska Public Media is also a great unifier for our state because it's available free to all, and it binds our state together border to border with one common passion: to educate and entertain all of Nebraska. I thank you for your support of Nebraska Public Media, and I welcome any questions.

**MURMAN:** Well, thank you, Mr. Smith. I must say, I've always been impressed by Nebraska Public Media. My wife loves Backyard Farmer, and I love all the sports coverage, of course; the high school and, and college, the Husker coverage. Let's see, I'm trying to think what question-- oh. I got-- I should ask you a question. If you would like to-- you've had a lot of experience on the board. Anything in particular you'd like to change or improve, or do something different going forward?

**CLAY SMITH:** I think the constitution of the board is really effective because we have representation from every district, and then also having the state education leaders in the room is really important so that that mission of Nebraska Public Media is always at the forefront. We've been blessed; over 70 years, we've only had four leaders, and I've had the good fortune to actually work with three of them. I'm really excited about Stacey Decker coming back to Nebraska. He was with us about 10 years ago and went on to have other successful careers in Boston and in Washington, D.C., and I'm just thrilled to have him back because the future is going to be really dramatic and changing for all of communications, and having a visionary leader like Stacy will be super helpful for the organization.

**MURMAN:** Thank you. Any other questions for Mr. Smith? Senator Hughes.

**HUGHES:** Thank you, Chairman Mermin. Thanks for coming in, Mr. Smith, and thank you for your years of service on that board. I grew up with my mom always watching Backyard Farmer, and so that's-- I, I don't know. You have, like, a fondness for it or whatever. And also, it just drove me crazy when the Big Ten started showing volleyball meets because they were absolutely terrible at filming volleyball meets. Anybody with me on the Huskers there? NET-- they do so much better. I'm like, get our people doing this. Just curious what you've heard-- and I know it's probably in flux, but federal, federal-wise with public media and the talk of defunding public media and things like that would have a direct effect, I'm sure, for Nebraska Public Media. Are you-- I guess, what's the stance with the board there? Is it just let's wait and see what happens, or is there any proactive things that

can happen? Just kind of curious where-- what you're going to  
[INAUDIBLE]

**CLAY SMITH:** I had the opportunity to go to the America's Public Television conference just a month ago in Washington, and that was the issue of the day. Obviously, waiting to understand exactly what will happen is, is being prudent. We're certainly blessed in Nebraska because our network is slightly different than other networks around the country. We're a statewide network, and as a result, the alignment with the state gives us advantages that many other networks do not have.

**HUGHES:** OK.

**CLAY SMITH:** Where in Florida there would be multiple stations, and as result, they're going it city-by-city or charter-by-charter. So, I think that helps us. The other thing that we really have is that the national programming is really important to Nebraska Public Television, but the monies that come back to-- into the station, they usually support the local programming that we do, so that's really the, the part that's at risk. But what I'm encouraged by is when we've gone out to these campaigns to reach out to the citizens of Nebraska, they're willing to support Nebraska Public Television because it's trusted. I think the national poll says that we're-- for 22 years, public television has been the most trusted institution in the country. So, I'm hoping that some of those messages will resonate as the decisions go forward, and I think Nebraska, with its good foundation-- not only the television and radio foundation's finances-- it's well endowed, but also the support of the Unicameral, it'll, it'll be critical going forward. And if there is a shift federally, it's probably a conversation that we will all have within the state of Nebraska to figure out how do we respond and what, what is at risk.

**HUGHES:** Thank you. Thank you for your thought.

**MURMAN:** Any other questions? Senator Meyer. You had your hand up first.

**MEYER:** Yeah, well, I'm, I'm going to defer to my colleagues. Thank you, Chairman Murman. You mentioned changing in technology. What, what do you foresee, technology-wise, as far as changes?

**CLAY SMITH:** Well, I was here--

**MEYER:** Because it's way too fast for me now, frankly. So.

**CLAY SMITH:** Yeah, and it is changing. I was part of the commission when we actually went from analog to digital, and that was a really big lift because basically all the transmitters and the transponders needed to be changed. What that did is it actually took some of our viewership from over-the-air to being digitally distributed. It also gave us the ability to send multiple channels so that you end up with multiple feeds and people can self-select the things that they're most interested in viewing. The digital part of it is-- that's already happened is really the viewership that now happens online. So, we have more and more people that are viewing it online. But Nebraska, given our rural nature as a state, there are going to be places that over-the-air will remain critical, and we see it with safety. Because down in Florida, when the hurricanes hit, the one hardened facility that actually helped everyone was the public television. Wi-Fi was out, you couldn't communicate with your normal devices. But public radio and public television was always on the air, and it, and it was really part of the backbone of public safety. So, I think that there's going to be things that will change. But with Stacey Decker's leadership-- he actually was the head of technology for the Corporation of Public Broadcasting [SIC]. So, he was the chief technology officer in the United States, and we're blessed to have him in our leadership. So, as we have to navigate these waters, we'll probably have the most knowledgeable leader available to do that.

**HUGHES:** Cool.

**MEYER:** Thank you.

**MURMAN:** Thank you. Any other questions? Senator Sanders?

**SANDERS:** Thank you, Senator-- Chair Murman. It's not a question, Mr. Clay-- Mr. Smith. I just have a thank you. It looks like you're bringing a lot of great experience, and you have been bringing a lot of experience. I had a bill today on the floor-- still is on the floor-- on the brain gain. And without a doubt, your education at Stanford University-- thank you for bringing your expertise and knowledge here to Nebraska. And I too am a Backyard Farmer junkie, so. Thank you very much.

**CLAY SMITH:** Thank you for your comments.

**MURMAN:** Senator Lonowski.

**LONOWSKI:** Thank you, Chair Murman. Thank you, Mr. Smith, for being here. I actually do have some questions. How do you determine what

goes in, as far as sporting events? How do "termine" whether-- determine whether to cover them or not?

**CLAY SMITH:** It actually is done by the station. So, the commission doesn't have any oversight of that.

**LONOWSKI:** OK.

**CLAY SMITH:** But basically, they basically report back to us the activities that are happening. But I would-- with Senator Hughes' comment, I am a volleyball fan. In fact, my wife and I, our first date was a Nebraska volleyball game. I think she probably thought I was a loser because she had just moved back from Washington and I took her to this exciting college match. But initially, it was all dictated by the Big Ten Network. But once they realized how effective we were, they started to use our resources so Nebraska Public Media, with its mobile vehicle and its mobile truck, can service the, the Big Ten Network in a way that probably many other states and universities cannot. The, the, the vehicle, which has been recently upgraded, allows us to broadcast literally from anywhere, so that allows us be able to go to the high school football games, the soccer matches, and broadcast live for all of those events. And it really is a big unifier for the state, how it connects all of us, because we all tend to love our Huskers.

**LONOWSKI:** I appreciate that, sir. And I just want to submit this to you, that after UNK won the wrestling championship and then UNL was second, I think we're a wrestling state. So, if you want to look at that and see if we can slide it in-- a couple deals--

**CLAY SMITH:** I will share that-- I'll share that thought.

**LONOWSKI:** Thank you.

**CLAY SMITH:** Thank you, Senator.

**HUGHES:** Go figure.

**MURMAN:** Senator Juarez.

**JUAREZ:** I was going to put my plug in too. But my plug is-- I'm curious, did they televise College World Series, do you know? Or just Nebraska sports? Because I'm a College World Series fan, so.

**CLAY SMITH:** Well, it-- as, as you know, most of it is probably on one of the major networks now, at least the final games.

**JUAREZ:** Yeah.

**CLAY SMITH:** I don't know about the initial games. I had the good fortune a couple of times to be there when Stanford was playing and also when Nebraska was playing, so it, it, it is one of those activities that is worth, worth celebrating. I think it's probably TV rights that would probably get in the way of a-- of broadcasting.

**JUAREZ:** Gotcha.

**CLAY SMITH:** But we'll, we'll take that, that thought back to share with our--

**JUAREZ:** Stanford sure is a beautiful campus. I was there one, one time in my life so far. I, I was just amazed by that campus.

**CLAY SMITH:** Yeah. It, it was a joy to go there, and the connections and the people you met, and the faculty was fantastic. To my good fortune, two of my girls have gone on to Stanford, and I think we're going to get them back. So, I'm excited about that.

**JUAREZ:** I have one-- I have one suggestion to put in the suggestion box, though. I think-- and this is-- I've gotten this from comments from people. And you know how we're featured on TV when our Unicameral is in action. And people have asked me, why don't we provide a brief summary about our bills so that the public, you know, has knowledge of that? Because, like, in our folders, we'll get a paper that says, "this is what this bill is about," right? And I think that that would be a good idea if we could try to somehow share that with the public. So, maybe you guys could put a slide in before we're gonna have our hearing, you know, and let them know those highlights. It's just an idea.

**CLAY SMITH:** No, it's a great idea because the more transparency that we have in government, the more confidence our citizenry will have in the work that's being done. So, I will share that.

**MURMAN:** Any other--

**JUAREZ:** Yeah--

**MURMAN:** --go ahead.

**JUAREZ:** --if we could get that on our website, I think that'd be a good idea, too. Who do I need to talk to about that?



**MURMAN:** We'll talk about that later.

**CLAY SMITH:** Thank you, Mr. Chair.

**MURMAN:** Yeah. Any other questions?

**SANDERS:** No, thank you very much.

**MURMAN:** If not, we appreciate you putting your name forward. Any proponents for Mr. Smith? Any opponents for Clay Smith? Any neutral testifiers for Clay Smith?

**JOSEPHINE LITWINOWICZ:** Right here. This guy seems great. Good evening-- or, good afternoon, Chairman Murman and members of the committee. My name is Josephine Litwinowicz, J-o-s-e-p-h-i-n-e L-i-t-w-i-n-o-w-i-c-z, and it-- I just thought it was so important to come here to say that I support this person, right? He's great anyway. But, but only if he doesn't go with the Trump-- believe on-- the-- in the "Trump train." So, again-- I mean, I'm like-- I don't look at the TV. And so, I, I was just hoping you guys have what-- would prepare a written letter of denunciation of Trump, because, you know, he freed cop-killers. He doesn't deserve to touch of the hem of McCain's garment. He's disgusting. He grabs women by whatever he wants. He's, he's sending people out of the country. That's f-- I mean, that's how we start ex-- you know, exiling people. He's got, he's got all three branches of government, and he's got-- this is, this is-- it's funny. It, it transformed before my eyes, and I didn't, I didn't see this coming this fast. And so, this is how dangerous-- I mean, if you look at Hit-- I mean, you look at all the dictatorships. I mean, you know, he hasn't bothered to take the military yet, so maybe he's not as smart as he-- anyway. It's not a joking matter. And I'm speechless how, policy or not, we, we, we could have a person like this in office. That is-- it is the most shameful thing. I mean-- I'm going to go now. But I'm really hoping you have your open letter of denunciation. Have it ready. I said I'd, I'd, I'd write it, but I was just being a smart-ass. I hope you do do it. So, thank you.

**MURMAN:** Thank-- thank you.

**JOSEPHINE LITWINOWICZ:** I hate to deserve the part of the [INAUDIBLE], but--

**MURMAN:** Any, any questions?

**JOSEPHINE LITWINOWICZ:** Thanks a lot.

**MURMAN:** If not, thanks for the testimony. Any other neutral testifiers? If not, we will forward Mr. Smith's name. We will exec on you, and hopefully forward your name to the full Legislature soon. And that will close the hearing on Clay Smith, and we will open the hearing on Paul Turman, also for appointment to the Educational Telecommunications Commission. Welcome.

**PAUL TURMAN:** Thank you. Good afternoon, Chair Murman, members of the committee. My, my name is Paul Turman; that's P-a-u-l T-u-r-m-a-n. I'm the chancellor of the Nebraska State College System. Been here in the state now for seven years, came from South Dakota. And when I first arrived, I think we've had routine representation from the state colleges that have served on the commission. Governor Ricketts had appointed me at that time, and I was confirmed by the Legislature and was confirmed again three years ago, and currently serve as the chair on the commission and, and have been in that role. And very similar to Mr. Smith, Clay, we serve on the executive committee, we serve on the, on the finance committee, and most recently, had the honor that both of us represented the commission in the search process for our new executive director, Stacey Decker, who I think is going to bring some very good leadership as he had noted. He comes from a rural part of, of South Dakota before coming then to Nebraska and then to Boston. And then working for the corporation, I think bringing some of that comprehensive background and experience forward. He has a lot of very good vision, and I think we were very fortunate to hire him into that position. A couple of quick things. I mean, I think having been in South Dakota where I had the opportunity not only to be able to listen to hearings that were occurring with my legislature at the time-- those were also audio archived. And so, at any given point, if I'd missed something, or if my board had missed activity, it was very easy to be able to go back and not have to wait for a transcript and be able share that information out. And I'm very proud of the work that the, the staff has done in being able to put that mechanism now, both the audio and the video archives of every aspect of what you do here. Right now, whenever we have bills that are impacting the state colleges-- I mean, I have board members that have full-time jobs, and with presidents are busy running their campuses. And so, it's been relatively easy to be able to go back to those archives, grab the material that's specific to the bills that impact us, and share that with them. So, I think that's an extremely important service that the commission, with your leadership, was willing to move forward and, and now has the, the, the staff supporting that work. And I think any other ways-- as you had noted, Senator Juarez-- that we can continue to find ways to leverage that, to make sure that the citiz-- citizens

of Nebraska are, are well-informed. I would also contend certainly, we support Husker volleyball and a number of other athletic activities, but I've always been pleased with how public broadcasting, Nebraska Public Media supports the Nebraska State Athletic Association. The ability to make sure that no matter where you're at in the state, whether you can make it to Lincoln, whether can make it to Omaha, or various kind of fine arts activities that our fine high school students are engaged in, we've been providing significant coverage of that, and that bleeds out into people who have left the state; our grandparents, our relatives have the capacity to be able to see it. And so, I-- I'm just very pleased. I've never missed a, a meeting of the commission. I've serve on two other boards that have been appointed by the Legislature as well: the Nebraska Workforce Development Board, as well as the- and I served with Senator Sanders on the commission for hydrogen and nuclear [SIC]. I think I'm better served in this role in my background experience than some of those other ones as well, but I would love the opportunity to continue to serve because I, I think there is a significant impact that, that the commission brings to helping make sure that Nebraska Public Media is serving the state in the way that it is. I'm happy to answer any questions you might have.

**MURMAN:** Well, thank you, Dr. Turman. I appreciate your service also on the board, and I meant to mention earlier, we did have a tour-- the education committee was invited to a tour of the studio on East Campus earlier in the session. And I can't remember for sure how many of us made it, but that is an impressive place, and if we have that opportunity again, I'd, I'd encourage everybody that can make it to make it.

**PAUL TURMAN:** It's a, it's a great facility, and I think the upgrades were very much needed. And it's going to just continue to allow us to be very flexible in what we provide in that space.

**MURMAN:** So, any questions for Dr. Turman? Senator Sanders.

**SANDERS:** Not a question, just a comment. Thank you, Dr. Turman, for being here, and thank you for being on this board and many-- the other many things that you do. When I see you out in Chadron, I'm like, "he came all the way from Omaha or Nebraska-Lincoln." And when I see you in Lincoln, I'm like, "aren't you from Chadron?" But that's-- right-- the area you travel, which are a lot of miles.

**PAUL TURMAN:** Yes.

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**SANDERS:** And you do so much more than that, so I want to thank you for that, and taking the time to be on this commission. Thank you.

**PAUL TURMAN:** Thank you, Senator.

**MURMAN:** Any other questions or comments? If not, we appreciate you have-- bringing your name forward, and we will exec soon and hopefully advance both of your names to the legislat-- full Legislature. Thank you again for being here.

**PAUL TURMAN:** Thank you.

**MURMAN:** And with that, we will close the hearing on the gubernatorial--