

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

BRIESE: Okay, very good. We'll get started here. Good afternoon and welcome to the Executive Board. My name is Tom Briese. I represent the 41st Legislative District, and I serve as Chair of the board. We will start off having members of the committee and committee staff do self-introductions, starting on my far right with Senator Clements.

CLEMENTS: Rob Clements from District 2.

SLAMA: Julie Slama, District 1.

ARCH: John Arch, District 14.

TREVOR FITZGERALD: Trevor Fitzgerald, committee legal counsel.

LOWE: John Lowe, District 37.

VARGAS: Tony Vargas, District 7.

RIEPE: Merv Riepe, District 12.

BRIESE: Thank you. Also assisting the committee is our committee clerk, Sally Schultz, and our committee page, today our committee page is Maggie Massey from Omaha, who is a political science major at UNL. Go ahead and stand up. Thank you. Thank you for being here. This afternoon we'll be hearing two bills and we'll be taking them in the order listed outside the room. On the tables near the entrance, you will find green testifier sheets. If you are planning to testify today, please fill out one and hand it to Sally when you come up. This will help us keep an accurate record of the hearing. Please note that if you wish to have your position listed on the committee statement for a particular bill, you must testify in that position during that bill's hearing. If you do not wish to testify but would like to record your position on a bill, please fill out the white sheet near the entrance. Also, I would note the Legislature's policy that all letters for the record must be received via the online comments portal by the committee by noon the weekday prior to the hearing. Any handout submitted by testifiers will also be included as part of the record as exhibits. We would ask if you do have any handouts that you please bring 12 copies and give them to the page. If you need additional copies, the page can help you make more. Testimony for each bill will begin with the introducer's opening statement. After the opening statement, we will hear from supporters of the bill, then from those in opposition, followed by those speaking in a neutral capacity. The introducer will then be given the opportunity to make closing statements if they wish to do so. We ask that you begin your testimony

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Executive Board February 10, 2023

by giving us first-- your first and last name. Please also spell them for the record. Because the Executive Board meets over the noonhour and members have other hearings beginning at 1:30, we will be using a three-minute light system today. When you begin your testimony, the light on the table will turn green. The yellow light is your one-minute warning; and when the red light comes on, we will ask you to wrap up your final thoughts. I would remind everyone, including senators, to please turn off your cell phones or put them on vibrate. With that, we will begin today's hearing on LB90. Welcome, Senator Dorn.

DORN: Well, thank you. Thank you very much, Senator Briese, member of the Executive Board. I am Senator Myron Dorn, M-y-r-o-n D-o-r-n and I represent District 30 and I am the Chair of the Performance Audit Committee. I'm here to introduce LB90, a bill that will amend the Legislative Performance Audit Act to update tax incentive reporting-- reporting requirements. This bill only affects the reports produced by the Legislative Audit Office and makes no change to any incentive program. I will briefly state what the bill does and answer any questions you have, but staff from the Legislative Audit Office, they're here and they will come up after me and explain why this bill has been brought forward. This bill does two things. First, it eliminates two programs from the list of tax incentives that are required to have an audit. Both of these programs have-- the programs themselves have sunset and are no longer taking applications. The other thing the bill does is to update the definition of two terms that are used for audit reports, high-tech firms and renewable energy firms. These definitions only affect how tax incentive audits are performed. With that, I will take any questions you have with the understanding that Anthony from the Legislative Office-- Audit Office is here and will come up after me to answer any of the more detailed questions that you have. This bill was a bill introduced by Senator Day. She was the Vice Chairman of the Audit Committee. So to get it in, I call it in the line of the bills introduced, did that. And since then there's been coordination with ourselves and the Clerk's Office where now I am the person since I've been chairman and we have switched this over to a I guess basically a bill now that I have or whatever so.

BRIESE: Very good, Senator-- Senator. Thank you for your opening. Any questions? Seeing none, thank you, Senator.

DORN: Thank you.

BRIESE: We'll take the first proponent testifier. Welcome.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

ANTHONY CIRCO: Thank you. Senator Briese, members of the board, my name is Anthony Circo, A-n-t-h-o-n-y C-i-r-c-o, and I am the principal tax incentive performance auditor with the Legislative Audit Office, here to give you additional details on LB90. In 2015, the Legislature approved LB538, which requires the Legislative Audit Office to audit tax incentive programs. That bill contained eight incentive programs that were required to have audits performed. Currently, there are nine incentives listed, and there are bills under consideration this session that may add one or two more. The first thing this bill does is remove two programs from the list, as Senator Dorn had mentioned. Those are the Advantage Act and the Job Creation and Mainstreet Revitalization Act, under the historic tax credits. Again, as Senator Dorn mentioned, both of these programs have sunsets and do not take applications. The Audit Committee believes the current resources should be dedicated to reviewing programs that are still active so that the results and recommendations can be used by the Legislature to change them as they see fit. We are aware that there are bills that have been introduced to reinstate the Mainstreet program, and legislative counsel already has an amendment drafted to put that back on the list should one of those bills pass. The second thing that this bill does is to change the definitions of high-tech and renewable energy companies, again want to state that this would only affect our reporting. This is not a policy change for incentive programs, and these changes are based on additional research we have done since they were first put into statute. I believe that was 2017. The high-tech definition reflects the changes in the concentration of high-tech employment in the last five years. And the renewable energy definition change better focuses the Legislature's intent when requiring the office to evaluate these companies. For example, the current definition that's in statute includes strawberry production as a renewable energy activity. The new definition more accurately reflects the actual inputs, production, and associated activity that should be categorized as part of a renewable energy production process. There is another amendment that I believe the page handed out that has been drafted and your legal counsel is also aware of. NAICS code classifications are updated every five years. This often includes combining industries under a new number or breaking a sector into smaller sectors. For those of you who are familiar with NAICS code, that can get pretty complicated if you're looking back. I had accidentally used an older NAICS vintage when drafting the bill. The amendment simply updates some of these codes to their 2022 classifications. And with that, thank you and I'll take any questions.

BRIESE: Thank you for that. Any questions? Senator Vargas.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

VARGAS: Thank you for being here. Just questions because it makes sense why we would not audit them because the legislation ended. And in part for, I understand the Nebraska Job Creation Mainstreet Revitalization Act is different because it just ended last session and there's bills to reauthorize it. But for some of these being tax credit, obviously these being tax credits, even though the legislation is ending, there's no new tax credits being authorized, what about for the existing tax credits that are still out there and the auditing of the programs that are still in existence? So--

ANTHONY CIRCO: Sorry.

VARGAS: Yeah.

ANTHONY CIRCO: If the Performance Audit Committee wants to, they can authorize another audit on any program that is existing and still putting out credits. For the Nebraska Advantage Act, the Department of Revenue does annual reports on those. And so the major things that you would want to know, outstanding credits, FTEs generated, potential future impacts, those things, some of those things are reported in the Department of Revenue's Annual Tax Incentive Reports. But again, if somebody sees fit to ask the Performance Audit Committee to do an audit of the Advantage Act, even though it's not taking applications, they still have the authority to do that, even if this passes.

VARGAS: Is it-- is it typical for us to just remove this off the books from Performance Audit? I'm also looking at Senator Geist on this as a former chair, just because it's different than just a program on its own, because there's things that are still in existence with it, is it typical for us to just take it off the books and then not have it being a required component of Performance Audit?

ANTHONY CIRCO: The Angel Investment Tax Credit had previously been on the list and has been taken off since it's been eliminated. So that has happened before. A lot of it is also a resource issue. I am the lead taxes and performance auditor. But there's typically one audit or two tax incentive audits that we can do in a year. And with the addition potentially of two more just-- and a limit of we have to look at each program at least once every five years, it's just a bit of a staffing issue as well. We just don't have the time to be able to get in depth on everything.

VARGAS: So you need more staff?

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

ANTHONY CIRCO: I won't speak for Martha, but I don't think she would disapprove of that.

VARGAS: Yeah, that's what I thought. Okay. I appreciate it. Thank you very much.

BRIESE: Thank you, Senator Vargas. Anyone else? Senator Geist.

GEIST: I'll just concur with Anthony. We had a long discussion, well, it was longish under the balcony, as long as it can be under there, about this issue and it also being a staffing issue. But since this program is sunsetted for taking additional applications, just removing that responsibility, it doesn't remove, as Anthony said, the capacity for someone to suggest that we take a look from a specific time to another time the effect this audit is having or it-- it's return on investment or whatever we would want to look at. It still allows it to be audited. It just doesn't put it in the five-year rotation that it typically is in. So we all-- I think this came out unanimously out of committee and we agreed with that. So just so you know.

BRIESE: Thank you, Senator Geist. Anyone else? Seeing no other questions, thanks for your testimony, sir.

ANTHONY CIRCO: Thank you.

BRIESE: Next proponent testifier. Seeing none, any opposition testimony? Seeing none, any neutral testifiers? Seeing none, Senator Dorn waives closing. Thank you, Senator. And we have no letters on that bill and that will close the hearing on LB90. With that, we will open the hearing on LB254. Welcome, Senator Brewer.

BREWER: Now we'll see if my voice holds up for this. Thank you, Chairman (cough) we're off to a good start. Thank you, Chairman Briese, and good afternoon, fellow senators on the Executive Board. I'm Senator Tom Brewer. For the record, that is T-o-m B-r-e-w-e-r. I represent 11 counties in the 43rd Legislative District in western Nebraska. And I'm here today to introduce LB254. And I'm introducing this bill on behalf of everybody who's interested in the Legislature. This bill or the idea of this bill was brought to me when I first came in 2017. Last year we were able to have the bill, make it all the way through this committee and ran out of time on the floor. So what I'm asking you to do here is, is remember the idea behind it. It is, is to take and give transparency to what we do here. And I'm asking a special ask on that because of all the folks who can't get here to be the second house. We live in a world where folks are working multiple

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Executive Board February 10, 2023

jobs and it is physically, in many cases, impossible to come here and be a part of that second house. What the video archive does is essentially a library where they can come in, they can see committee hearings, to listen and see at the time of their availability to what has happened and then to also hear floor debate on bills. The idea of having a Unicameral and the second house of the people, I think, is weakened when we don't give them the ability to see what we do. And so what I'm asking with LB254 is that we have a archive library available that people can come and use to see and hear what we do in the body. So with that, I'll be open to take questions.

BRIESE: Thank you, Senator Brewer. Any questions? I see Senator Geist.

GEIST: I love this bill. Full transparency, I brought it my first year and so I'm so glad that this--

BREWER: You're a genius.

GEIST: Well, I won't comment on that. But-- but I do believe that this serves the people of Nebraska. And I think the fiscal note even says it's envisioned that the requirement for video possesses the possibility that there will be higher use on the Website. And so they're going to have to beef up the Website a bit because they expect more people to watch. And I think that's part of why we're here is to serve the public and their interest. I do think this fiscal note might be a little high. We already do some closed captioning and this just adds to that. I'm no technical expert, but I think that might be a little exaggerated. But anyway, I appreciate you bringing the bill and I think it serves the people of the state very well.

BREWER: Well, thank you on that question. And you're right. And I think there needs to be a look at the Nebraska Public Media, what we're paying in currently for that. And if we add this Tasker, you know, is that fiscal note reasonable, because I think that--

GEIST: We're not starting from zero.

BREWER: Right. And--

GEIST: We already have some of that.

BREWER: --one of the things that was brought up by folks that are very interested in this is that we take bills and we put maybe as the first part of the bill. So instead of LB001 where we actually have the legislative, so the 108 because what happens, you get confused because what, what LB336 was last year is something different this year and

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

trying to get everything lined up so you understand it. So if we put the session and then the LB number, then they'd know, you know, what biennium it was in and they could look it up and get the correct bill. So there will be some things that we have to work through to-- to figure out what this library looks like. But the ability to recall and I think for us, in many cases, we have bills that someone else has presented. And when you're getting ready to present that same bill, think of how handy it would be to be able to go back and look at those talking points and who testified and-- and better understand it coming in. And for the freshmen senators, they might be able to look at some of the stuff that's radioactive, they should have never touched and not take bills that they end up getting beat up on because they didn't know what they were getting into.

BRIESE: Very good, Colonel. Thank you, Senator Geist. Senator Arch.

ARCH: Thank you, Senator Brewer. So my understanding is that the official record of the Legislature will remain the transcript.

BREWER: Correct.

ARCH: Correct? So this video doesn't replace that. OK. So I think I just want your personal thoughts. One of the-- one of the questions that if we move this forward, it is going to be this issue of how long do you archive? I mean, we know that these are large files. I mean, as far as-- as far as storage space, large files, and we have a lot of video each year. How long-- how long-- I mean, do you-- do you see this, like, forever stored? Do you see at some point the video drops because we have the official transcript? What-- and I guess it kind of goes to the-- it kind of goes to the question of the purpose of the video to begin with. But at any rate, all-- all or none or any of those questions.

BREWER: There's a few to unpackage there. All right. The cycle that we or the length that we keep them, you know, it's hard to say because I remember when I first deployed to Afghanistan, we took everything we had and had to have about six hard drives to put them on. By the time I left, we had them all on one multiterabyte drive because of how technology changed over ten years. I, I would hope technology continues to change like that and that we would be able to keep from the time that we start recording them forward. And if technology is what I think it will be, I think it will then be a historical record we come back to, to-- to look at bills or testimony. So-- and-- and I got to remind you that this bill had a Speaker priority last year. Just no pressure there, but I just thought I'd share that.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

BRIESE: Thank you, Colonel. And thank you, Speaker Arch. Senator Clements.

CLEMENTS: Thank you, Chairman Briese. And thank you, Senator Brewer. How many other states do this now, the public access to video?

BREWER: Well, that's a good question. Because Tony doesn't have enough work, I put him to work on this and we didn't find a state that didn't have some capabilities. As a matter of fact, I even went and looked at the Lakota Sioux Tribe's Indian Council meetings are archived. Now they're through YouTube, which obviously is a lot cheaper than what we're trying to do here. But, you know, I don't-- I think we're kind of end of the line of folks that have made this a-- an issue to address because it looks like, you know, a lot of levels of government, they've decided that need to be able to to see what's happened and then go back and have it available to folks so that when you come home from work in the evening and we've been busy doing stuff during the day, if you could go and look at the Exec Board and whatever bill, you could pluck it out, see it, and be done with it. You're not driving 10 hours round trip to Lincoln and standing down work and everything else. And so I think it actually gives us a second house that to a degree has been unavailable to be a part of our system here.

CLEMENTS: Thank you.

BRIESE: Thank you, Senator Clements. Any other questions? Senator Aguilar.

AGUILAR: Yeah. Would this cover committee hearings as well?

BREWER: Say again now.

AGUILAR: Aside from Exec, would this include committee hearings?

BREWER: Yes. The plan is that it would include hearings. Because the thought process was that if you don't understand how the bills get to the floor and what was talked about in that committee debate, it's hard to then really understand the floor debate and the issues. And so the two are really kind of a package.

AGUILAR: Thank you.

BRIESE: Thank you, Senator Aguilar. Any other questions? Seeing none, thank you, Senator Brewer. First proponent testifier. Welcome.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

NICOLE FOX: Good afternoon. Nicole Fox, N-i-c-o-l-e F-o-x, director of government relations for the Platte Institute. And thank you for the opportunity to testify today in support of Senator Brewer's LB254. While we have a plethora of media outlets in Nebraska, there are still gaps to fill in providing coverage about policy issues that impact Nebraskans. One of the fundamental principles of good governance is openness and transparency. Citizens need and deserve access to the information about policy decisions being made and impacting their lives. Having an informed and engaged public is important. It's important so that voters can hold their elected officials accountable. In the last decade, technology and the Internet have open access to the legislative process and created new ways for citizens to interact with their elected officials. Legislative documents are created, tracked and transmitted electronically, and an unprecedented amount of information is being made available to the public online. This trends-- this transition has made legislative work more efficient and has enhanced transparency, accountability, and access. Live webcast of legislative floor proceedings are available in all 50 states, also the District of Columbia-- Columbia, Puerto Rico, and the Virgin Islands. Twenty-four states and the District of Columbia also broadcast legislative proceedings on television, and Nebraska is one of those 24 states. And Senator Clements, to your question, 46 states, plus the District of Columbia, Guam, Puerto Rico and the Virgin Islands archive legislative proceedings in audio and/or video format. And on your handout, I do have a Website that you can look at to access all-- all of the states and then their individual archives. The four states that do not archive legislative proceedings include Alabama, Illinois, Nebraska and Pennsylvania. Legislative archives can be found primarily on states' corresponding legislative Websites, but also on YouTube, as is the case with Nebraska's neighboring states: Kansas, South Dakota, and Wyoming. The Platte Institute has a longstanding interest in government transparency and LB254 represents a significant legislative priority for us as we work to implement the recommendations of Blueprint Nebraska. The Platte Institute appreciates the great work done by Nebraska Public Media to provide access to real-time live coverage of Nebraska's legislative proceedings. But many Nebraskans are unable to watch floor debate or hearings live because they work. They occur during working hours. And without access to coverage, one must depend on secondhand accounts, and sometimes these secondhand accounts may only be short snippets. They may contain biases, and they may not truly reflect the true context of the issue that is being heard or debated. With simultaneously occurring committee hearings, it's not uncommon for us at the Platte Institute to have bills of interest being heard on the same day and time, and I'm sure that is

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

true for many other Nebraska organizations and citizens. While transcripts of floor debate and legislative hearings are made available to the public, it can be some time before official transcripts become available. And when they do, they are not always easy to find. Also, a recorded yea or nay vote is not always taken on major legislative proposals, and the ability to view a video recording might be the only means of ascertaining how or why policy-- policy decisions were being made.

BRIESE: I'm going to have to cut you off there.

NICOLE FOX: Yeah. And so with that, I conclude my testimony. Thanks for the opportunity. I was almost done.

BRIESE: You bet you were. We have your written testimony here. We appreciate that.

NICOLE FOX: Yeah.

BRIESE: Any questions? Seeing none, thank you for your testimony. Next proponent testifier, please.

GUADALUPE ESQUIVEL: Hello. Good afternoon.

BRIESE: Welcome.

GUADALUPE ESQUIVEL: Thank you. Hello. My name is Guadalupe Esquivel, G-u-a-d-a-l-u-p-e E-s-q-u-i-v-e-l, and I'm here speaking on behalf of the Nebraska Civic Engagement Table in strong support of LB254. This is a straightforward, commonsense approach. And to uplift the Platte Institute's earlier point, this is already in use officially in some way by 46 states. At the Nebraska Table, we work with our 501(c)(3) nonprofit member organizations across the state to increase civic participation. And something that we hear time and time again from community members is that inaccessibility and lack of transparency in government can be one of the biggest barriers that Nebraskans face that prevents them from being informed and engaged in policy decisions that impact every part of their lives. This gap in access is a frequently asked about community need. And a video archive would facilitate further engagement and bolster education about the legislative session. This is also an incredibly helpful tool for nonprofits like ours, who connect community members with resources to stay engaged during the session. This step to create a video record would allow for a greater number of people to be able to view legislative hearings at any time that works best for them and to

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

better understand the policy decisions being made and of course, to ensure that Nebraska is up to date on best practices. Thank you.

BRIESE: Thank you. Any questions? Seeing none, thank you--

GUADALUPE ESQUIVEL: Thank you.

BRIESE: --for your testimony. Next proponent testifier, please.

MIKEL LAUBER: Good afternoon.

BRIESE: Yes. Welcome.

MIKEL LAUBER: Chairman Briese, members of the Executive Board, my name is Mikel Lauber, M-i-k-e-l L-a-u-b-e-r. I'm the director of news at 10/11 in Lincoln and I'm speaking on behalf of Media of Nebraska, which represents the state's newspapers, broadcast media, and associated digital outlets. I'm here to speak in support of LB254. Media of Nebraska's primary role is to advocate for access to information, not just for the news media, but for the general public. We're excited to support a bill that would greatly enhance access to the important public work you do here every day. As you know, the work you do here is already accessible to the public for those who are able to attend hearings and watch live streams through Nebraska Public Media or read coverage that the news media provides. But of course, not everyone is able to attend or follow sessions live. And while my colleagues in the media provide coverage of many of the sessions in the Legislature, the volume of work you do here, I mean, it's impossible to cover it all. A publicly accessible and captioned video archive of legislative and committee hearings will be an important resource for the people you serve. It would allow your constituents to follow the issues that are most important to them whenever and wherever they're available. It would provide historical context that could be referenced and researched for years to come. And it would be a tool for journalists in the Nebraska news media who may want to view or review debates and hearings to better inform their reporting. The inscription above the main entrance to this building reads "The salvation of the state is the watchfulness of the citizen." This bill would enhance that watchfulness and lead to better government as a result. That's all I have if you have any questions.

BRIESE: Thank you. Any questions? Seeing none, thank you for your testimony.

MIKEL LAUBER: You bet.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

BRIESE: Next proponent testifier. Welcome.

HEIDI UHING: Thank you, Senator Briese, members of the Executive Board. My name is Heidi Uhing, H-e-i-d-i U-h-i-n-g, and I'm the public policy director at Civic Nebraska here to testify in support of Senator Brewer's LB254. A critical component of a robust democracy is the public civic engagement, which is the responsibility of each individual. But government entities need to meet the public halfway by making this engagement as convenient as possible. We see this bill as providing a very important means for people to engage with our Legislature while recognizing that even those who are very interested in what happens here have busy lives that prevent them from watching live or being here in person. The fact that groups have taken the initiative to provide this service for themselves since it was unavailable says a lot about how strong the demand for this footage really is. I wouldn't expect that many people would watch all of this footage gavel to gavel, plus all of the committee hearings every day. But the archive will enable clips of our legislative footage to be used in civic education efforts in schools, by the media, and by advocacy organizations to educate people about particular issues and the legislative process. All of these efforts are not for profit. The fact is that what you do here is interesting to people, and it's an appropriate courtesy to the public to make viewing it accessible. Nebraska was one of the first states in the country to offer live gavel-to-gavel coverage, reflecting the Unicameral's longstanding commitment to transparency. Now, we're one of the last states to offer this archive for your constituents, and that seems like an important omission to resolve. Most of the work is already done. The cameras are here and updated to the best quality possible. Nebraska Public Media has staff in the building managing these feeds. The video is broadcast already live and recorded. That's a lot of work done for nothing to show for it. This is taking that service and that investment to its logical conclusion, making it exponentially more useful over time. We're especially interested in the fiscal note's mention of the intent to archive additional years of historical footage that's available. Adding as many years as possible to that archive would make it more immediately useful so we're also in support of that. And we'd encourage that the search capability reflect the categories currently available on NebraskaLegislature.gov, which is the bill number, introducer, committee, session and keywords in order to make the archive as useful as possible. Thanks for considering this proposal.

BRIESE: Thank you for your testimony. Any questions? Saying none, thank you again. Next proponent testifier. Welcome.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

GAVIN GEIS: Chairman Briese, members of the committee, my name is Gavin Geis, that's spelled G-a-v-i-n G-e-i-s, and I'm the executive director for Common Cause Nebraska. Common Cause is a pro-democracy organization and as such, we're interested in ways citizens can be better engaged with our Legislature. This bill represents that. In preparation for this hearing, I went through and did a review of the many state legislative web pages looking for key takeaways. What can we learn from what others have done? What can we do better? And what you're being handed out is some of my biggest takeaways from what I saw in those state web pages. First and foremost, accessibility. Many state Web-- Websites do this well and many do it poorly. How easy is it to find our archives? Right now, the Nebraska legislative Website does that very well. You can go straight to the home page. You see easy that you can click on the proceedings, watch video. Other Websites do it poorly. They put it in a small block of text at the bottom of the page. However we do it, I would encourage us to do it in a way that's accessible, transparent, easy to find. On some of these. I've given some examples of states that I think did it well. New Jersey does do it very well, very clear to find the archive and live video. We should just follow that example. Next up, closed captioning. This varies very wildly between states. There is no one method of handling closed captioning. Some of them do it very poorly. Some provide it only on archived video in the far past, not on live video, but also the reverse. Some do it on live and not the archived. I would make sure whatever our policy is, we're consistent and whether that captioning is available on the archive as well as live video. There's also considerations of how we go about that closed captioning. Some states have used artificial intelligence to do it and some of those programs do a very bad job of translating what actually is being said. Again, no matter how we do it, we just want to make sure we do it in a way that is consistent and in a way that is easily understandable and "transcribable" for the public. Next, a next topic here, additional video information. Many states include an agenda along with the video, so you can watch the video and see the agenda for that meeting. Some do not, but I would encourage us to look at a system that includes additional documentations from those meetings alongside the video. It just helps the proceedings, helps understanding what's happening in the meeting, overall, just increases the public's information and knowledge of what's actually going on. Next up is archive organization. This, as all of these vary wildly among the state, the best examples include multiple ways of sorting and clear organization for how the videos are archived. The worst examples are scattershot, with some committees being organized one way, some floor sessions being organized another way with no clear method, no clear methodology

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

of how they're actually organizing it. We just want to make sure that this is done in the most transparent, easily organized way for the public. Next up, retention policy. I'll repeat myself again, but wide variety. Some states, if you look at New York, they go back all the way to 1999 with some very old, very outdate technology, but still decades of retention. Others who have just begun doing this only have a couple of years of footage. But it does seem to be the trend that states maintain these videos and audio for as long as they've been keeping them, for as long as they've actually been holding this process. So that may mean for Nebraska, starting now with this, as soon as we implement this and as far back as we could go. But there's no-- no one way to do it. I know. Finally, real quick, there are multiple ways states have gone about doing this. Some have custom Websites. Some are using Sliq Media Technologies. Many states use that particular system, which does have advantages but it's not the only way. And finally, some use YouTube. I would encourage us not to use YouTube. It is not the best system. It does not work for the advantage of most people so.

BRIESE: Very good.

GAVIN GEIS: Yes.

BRIESE: I'm going to have to shut you off there, but have your written comments. I appreciate that.

GAVIN GEIS: No, thank you.

BRIESE: Any questions? Senator Vargas.

VARGAS: Thank you. So I think what we've heard from a lot of the testifiers is that there's-- and we heard this in the past, too, that there's a benefit, obviously, to transparency, which speaking for myself, I support that. The question I have is from-- from some of the, the policy considerations and what you're seeing in other states, have you seen any or can you follow up on any information and I'll ask this for Senator Brewer as a follow-up, too, on, on what consequences? The only concern that I've ever had or we've discussed largely has been the use of video outside of public transparency, outside of educating the public that would be used for commercial political reasons. And I know that there's language in here that references, you know, political or commercial reasons that that information that-- that these videos should not be or any audio or video would not be used for that reason. But I don't know if you have any information on consequences or reinforcement to make sure that doesn't happen as a

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

sort of an after--unintended consequence of-- of putting this out there.

GAVIN GEIS: Yes. And to that point, what I can say, I will look deep, more deeply into it. But other states are acknowledging that. On their archives, they are saying this is only for the same purposes that Senator Brewer put in the bill. It is not just Nebraska worried about that. And so it is an important consideration that's added. In terms of how that has impacted other states, I'm not 100 percent sure. I will look into that.

VARGAS: That'd be [INAUDIBLE]

GAVIN GEIS: But it's not-- it's certainly a thing everyone's looking at and worried about.

VARGAS: Yeah, I appreciate any information you can do follow-up would be great.

BRIESE: Thank you, Senator Vargas. Anyone else? Seeing no other questions, thank you for your testimony.

GAVIN GEIS: Thank you.

BRIESE: Next proponent testifier. Welcome.

CINDY MAXWELL-OSTDIEK: Thank you. Hi. I'm Cindy Maxwell-Ostdiek. That's C-i-n-d-y M-a-x-w-e-l-l-O-s-t-d-i-e-k, and I want to thank Senator Briese and the Executive Board for hearing this important legislation and leaving the hearing open for everyone to testify. I am a mom and small business owner and volunteer and I'm an active member of the Nebraska Legislature second house. And this particular project and service is something that I have been focused on for quite some time, and I have followed Senator Geist through this process and thank Senator Brewer so much for bringing the legislation last year and this year. I believe that this Nebraska Public Media service and the Legislative Clerk's Office, everyone that brings it together does such a good job. And it is important that we continue that process and have it be professional and have it be offered better than we are accomplishing it from outside. There are some of us that have been actually recording and digitizing these proceedings for a few years now, but it's very difficult due to technical issues and time. And sometimes there is committee hearings we've missed, floor debates that we weren't able to catch. And the resolution isn't very good on quite a few of these recordings either. So we're right now gathering them on YouTube, putting them onto our Website, trying to categorize them. But

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

it is something that we're really wishing that the Legislature would take care of as a service to all Nebraskans. Everybody's had such good points. But I do want to say that we are hoping that the categories that we can search, including date, bill number, resolution, committee, introducing senator, keywords that these recordings also be closed captioned and included on the main page for each bill on the Legislature Website so it's easily accessible and it's all together. And that way the citizens and the senators can access it easily. We also would ask that you would go back and include previous recordings. I know that there's some available through-- through Nebraska Public Media for several years and that there's also many available here through the Legislature itself. I am a member of the Nebraska Legislative Study Group, and we currently have from 2020, 175 files saved; 250 from 2021; 365 from 2022; and 130 so far here in 2023. We've been catching all of the committee hearings. We're not able to upload them all quickly enough. And if anyone has questions about a specific one, I'm happy to help. We do want to, again, thank Senator Brewer and hope that you'll please vote yes and quickly get this implemented. Thank you.

BRIESE: Thank you. Any questions? Seeing none, thank you.

CINDY MAXWELL-OSTDIEK: Thank you.

BRIESE: Any other proponent testifiers? Seeing none, any opposition testimony? Welcome.

MICHAEL RYAN: Good afternoon. Senator Briese, members of the Executive Board committee, my name is Michael Ryan, M-i-c-h-a-e-l R-y-a-n. I'm here today to testify for and against LB254, a bill designed by Senator Brewer to intelligently enhance, amplify, define the strategic objectives of Nebraska Educational Telecommunications Commissions and change powers and duties of that organization. I think that we need to understand that NET is a voice and a service provider for the entire state of Nebraska. It's not just 10/11 News. It's not just Channel 13. It's this Capitol access, a resonation chamber for ideas and for advancements towards the state. With this bill comes the opportunity to look at it a little deeper. I spent over 100 hours now looking at the legislative Website, and this bill is spot on. You guys need to do this. I think you should advance as quickly, quickly, quickly through, through proceedings. Like, there should be no arguments for it. But I think there should be additions. The main addition is I think the content like you'd be adding more content. I could call 10 or 15 college students right now and say, hey, I need a video clip of 10 or 15 minutes of the state of Nebraska to air on NET. Could you do that

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

for me? And any one of these reputable students could go out there and produce a quality video that could be broadcast. There's a lot of downtime on NET. I see a lot of blue screens. I guess I'm a member of the second house. I'm not-- I'm not a paid-- I'm not a paid lobbyist to be here. I have watched the Legislature and it needs to be more. There needs to be more available content for us to view. But putting these captions on there, there could be one problem that I foresaw. In the bill, I did read through it, it said "such recordings shall not be used for political or commercial purposes." I think that there should be a-- someone just to monitor that. I definitely see, like, Herbster coming back and using stuff that you guys see in commercials. So be wary of that. And with this archive, I mean, you got money moving. You could easily make a way to have college students or professionals create content that shows Nebraska and shows "the good life." I appreciate your time. Thank you.

BRIESE: Thank you. Any questions? Just one before you leave.

MICHAEL RYAN: Yes, sir.

BRIESE: You testify in opposition, but you generally support the concept, just needs to be expanded upon and some details worked out.

MICHAEL RYAN: Yeah, I agree.

BRIESE: OK.

MICHAEL RYAN: You just need to expand it out a little bit further. And it's just a great platform. I mean, you have NET. I was sitting at Meadowlark Coffee last night and there was a Fulbright scholar sitting over here and there was two NET employees sitting over here. So I discussed this bill with them. We read through it, we talked about it, and we agreed, like NET just needs an upgrade, like, NET needs an upgrade.

BRIESE: OK.

MICHAEL RYAN: Thank you.

BRIESE: Thank you very much. Any other opposition testifiers? Seeing none, any neutral testifiers? Welcome.

BRANDON METZLER: Thank you, Chairman Briese, members of the Executive Board. My name is Brandon Metzler, B-r-a-n-d-o-n M-e-t-z-l-e-r, Clerk of the Nebraska Legislature. I wanted to start first by thanking returning members of the Executive Board: Senator Vargas, Senator

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

Lowe, Senator Slama, and especially Senator Geist. I say that because I have been heavily involved with video since I started in the Clerk's Office. Even back to 2018 with Senator Geist's LB1018, video has been something that our office has dealt with, that the Legislature has dealt with, that NET has dealt with, now NPM. So it's certainly something that I'm glad that you guys had the patience. I feel like and I don't want to speak for NPM, but from conversations and certainly our representations are we are in a place with video now that we have not been previously and we feel comfortable with what you choose to do going forward. And-- and we're, you know, arms open, willing to work to get a product out there that does look, that-- that's both transparent, but also what you want for a professional representation of the Legislature. Two things that I want to talk about with this bill quickly, minor things. We, going through the bill, I think you need to probably remove "political and commercial purposes" from the bill, strike that. 2018, there's a court case in California that it ruled that that's unconstitutional. Texas had the exact same situation where somebody tried to use it in a political campaign in Texas. They told them they couldn't. They sued. They won. It's unconstitutional to say you can't use it. It's a First Amendment violation. That being said, and this rolls into, to another point, it would be good for the Exec Board to-- to establish a policy of what you want that-- this video to be used for, how you want it to look. This goes heavily into retention. As Speaker Arch noted, you know, there's some questions about retention, and that's where some of this cost is coming from as well is if you have an indefinite retention schedule, that cost starts to snowball with-- with the cloud storage. And I can get into details about how we plan to store it and that type of a thing. But, you know, that's where our costs are coming from a legislative perspective is that we don't have any cost in the first year. But the second year, you know, those storage costs are going to start to add up. But as part of that policy, I think you can add in some language of-- of us, I don't want to say doctoring because it's the wrong word, but we can put some watermarks over the video. We could try to work out some copyright claims, stuff that if somebody were to run it in an attack ad, we could get the video. You know, you don't put it out in 4K HD quality. You put it out, you know, to where if it's legitimately going to be used for educational purposes, an individual can watch it, they can listen, they can get the gist of the committee or the floor debate, but they don't have the means of reproducing it. It's very clear that they took it straight off of our stream, you know. So if they're going to run an attack ad, it's got the Legislature's seal right over the top of it. It's very blatant. The only other thing I will add is there was some concerns about the

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

transcript being certified by the Clerk. So right now in legal proceedings, the Clerk signs off on this was the official transcript. This is what was said on the floor. I have very serious considerations for a Clerk going forward that would have to sign off on legislative video. Because of the advancements in AI and Deepfakes and some of that technology, I think 20, 30 years from now, you might, may put the Legislature in a position where they're signing off and certifying video that could have been altered without their knowledge. At least with the transcripts, it's an internal process. We know that we created it, we signed off on it, and that's what would be used in the court. So that's my concern from-- from a-- I would just like to see language added that said, video does not, you know, will not be certified. Only the transcript will be certified for legal proceedings. If I've got just a second, I want to-- I would like to speak to the idea of many other states having done this, and I don't disagree. There certainly are a lot of states at this point. You know, we are to some degree behind the curve on this. And I would like to see us get ahead of it. But the only other thing you have to remember, and this goes to storage, too, is-- is you all have a lot of hearings and you're going to generate a lot of data. Some of those other states, some of those other levels of government, the local ones, they don't meet to the level that you guys do with, you know, five consec-- you know, five hearings going on at a time, plus floor debate. That's a-- you're going to generate a lot of data. And-- and so everything that they film, they may have one hearing a week, you know, and it's a joint hearing and-- and it's one big production. Whereas we are putting together, you know, daily five different streams. And I want to speak to-- to NPM's cost. Again, I don't want to speak for them, but I want to say my understanding is their costs are coming from especially up front is, Senator Geist, you're exactly right. We do have-- we are far along in our video capturing capabilities. The problem is when you get to that closed-caption perspective and when requests are going to be made from an ADA perspective, we certainly need to have closed captioning on those; and we don't have that ability within the hearing rooms. So part of that cost from NPR's perspective is going to be getting the hearing rooms up to the ability. They're called encoders. Basically they'll take the stream and it will close caption it so that-- our floor debate right now is closed captioned automatically, not automatically. NPM has a process that they could certainly give you more information about. They used to go to a Kansas company to actually type it out. Anyways, that's where that cost from NPM comes from is that initial getting the hearing room set up, ready for closed captioning. I don't know where

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

I'm at with time, so I'll certainly take a step back and answer any questions.

BRIESE: Very good. Thank you. Any questions? Senator Geist.

GEIST: I do. So the closed captioning costs would be a one-time cost or is that an on-- I mean, I know, of course, the bulk of it won't be ongoing. But is there an ongoing charge to use that closed captioning year after year after year?

BRANDON METZLER: That's more of an NPM question. I will tell you the bulk, as you saw in the fiscal note, will be that up-front getting the hearing rooms caught up. There may be some costs with closed captioning on-- on a day-to-day basis. There's also some costs with their processing. I know part of the other thing, again, I apologize because NPM is here and for questions and whatnot, but the other part is-- the other part of NPM's up-front costs are going to be they're processing power. Right now, they've got a little bit-- they want to update their processing power. Because when you ask us for a hearing right now, some of those ones that go late into the night, that's some-- those are bigger data files. We're not turning those around necessarily right at 8:00. So when you walk in the door, we want to have that video available on the Website in this case or as it is now, you know, available for distribution. So NPM's costs are both equipping the hearing rooms and their processing power so they get us the video faster, ready to be uploaded. And their ongoing costs, again, they will speak to-- they could speak to this, but it's-- it's the ongoing maintenance of both the closed captioning and their processing.

GEIST: Thank you.

BRANDON METZLER: Yeah.

BRIESE: Thank you, Senator Geist. Anyone else? Senator Vargas.

VARGAS: Can you speak a little bit to, you mentioned the AI component. And you know, we've had some bills in Judiciary in the past just talking about public entities and video recordings and who owns the data. How are other states going about, other state legislative houses that have this, going about navigating that long term? You mentioned the deepfakes, which are all real things to be concerned about so.

BRANDON METZLER: Senator, I think because those are so, so much still in their infancy, I mean, you're starting to see the chatbots and stuff that can generate the AI. I don't know that anybody has ever

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

approached that to this degree. You know, they put the video out and you're absolutely right in that we are generating-- you all are generating hours and hours and hours of your voice, your picture, you know, for some of that stuff to where I don't know that we can-- we can doctor the voice component. That's why I said that if we had the ability and you-- you through policy allow us to-- to at least put something over the video that it's, you know, could clearly show that it was distorted like a watermark that covers the whole video. That allows that if somebody were to have distorted the video, they'd also have to have copied that watermark. You may see distortions in the watermark. I don't know that states have really tackled that yet, but I also don't know that they've seen clear violation, you know, that-- that type of activity going on yet.

VARGAS: I mean, less concern for us. We're already public figures so that's-- that's neither here nor there. It's more people coming in hearings. I think people are prepared that when they're here, they're testifying, what they say is in the transcript. It's all in the public record. I think they're also prepared because they're giving their address-- there's information. That's all public. But in preparation that their-- their likeness and the-- the digital-- the digital code that is who they are in terms of visual is also now up in the public and can be utilized by companies. I just don't know that-- that component for the public--

BRANDON METZLER: Absolutely.

VARGAS: --for the people that are coming in testifying in hearings
[INAUDIBLE]

BRANDON METZLER: Absolutely. I understand those concerns.

BRIESE: Thank you, Senator Vargas. Anyone else? Speaker Arch.

ARCH: Thank you. This may not be your question. It may be actually for Senator Brewer, but I-- the-- the-- the items to be recorded, it says, "including all floor debate and public committee hearings." Do you understand that to mean excluding executive sessions of committees?

BRANDON METZLER: Correct. To me, it would be anything that's put on a hearing schedule. Not Exec Sessions, not briefings unless they are put on a hearing schedule, as sometimes they are, or recorded by NPM. You know, those listening sessions that Judiciary Committee carried out a couple of years ago, those were specifically requested to be recorded and transcribed. The-- I think again, this could be something perfect

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

for a policy from the Executive Board. But I think if you outlined, it would be essentially from my perspective, this would be anything that ends up on a hearing schedule: floor debate, any of the committees that are on the hearing schedule, no Exec Board or no Exec Sessions, no, you know, anything like that.

BRIESE: Thank you, Speaker Arch. Senator Clements, do you have a question?

CLEMENTS: Thank you, Chairman Briese. Thank you, Mr. Clerk. I've been very interested in this topic since I came to the Legislature, got some transcripts of March of 2017 where I was interviewing the-- questioning the Clerk at that time, and I felt like we didn't get much cooperation. January of 2018, 22 of us senators signed a letter to the Executive Board asking for the videos to be available. My question to you first is we have prior video debate. Do you see that we could also make that available, not just going forward, but access the prior videos?

BRANDON METZLER: Senator, I don't want to speak-- I mean, part of what we're doing is we would be hiring a video person that would handle the archives and going forward. The video or the bill requires 2025 or sooner. We certainly have some of that, you know, some of that old video. And I'm not opposed to going back and putting that in, but I think the system that we will develop from a technology standpoint will archive video going forward. It will match current bill to current video, whereas we would have to do some of that manually. So I'm not-- I'm not telling you we wouldn't. I'm just saying it would-- it would probably be a different process and more of this individual going perhaps during the interims or, you know, pages that are-- that are indexing that properly because the system will work going forward. Going back would be more of a manual type linkage.

CLEMENTS: And would the closed captions that they recorded in the past or captured in the past be available? Does it have to be recreated or is it already stored?

BRANDON METZLER: So without boring the board and going into too much detail, we use a process called Trint which does automatic closed captioning now for committee hearings. That's what a lot of your committee clerks are using and that started in 2019 I believe. I'd have to check for sure, but anything from 2019 has been run through Trint, has captioning. Whether or not we can convert that to a closed captioning file, I will-- I will check. But-- but there is captioning out there for floor debate prior. I mean, NET has always captioned

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

floor debate. So those files are out there and available and we do now have the ability with Trint where if we were going to go back and do some of that old video, we could run them through Trint if they weren't the first time. But again that would be an interim. That would be more of a manual, time-consuming process of making sure that happens. You know, we can automatically, automatically. But, you know, it's easier to do it going forward. Going back, not saying it can't be done. It's just both a time and process question.

CLEMENTS: Why do we need eight on premises encoders for closed captioning? Why do we need more of those?

BRANDON METZLER: Because each again, I don't want to go too far into technology that I'm not, but my understanding is each one of your hearings, you know, you look on your closed circuit TV, each one of those hearings is being captured separately from NPM. So within the room, these microphones that you're talking into, that feed is going to NPM as a separate file for each hearing room. So each hearing room will need that encoder to take in the microphone sound, process it, close caption it, and upload it along with their separate streams. You know, the floor debate is one thing because you're all-- all 49 in the same room. When you're spread out across multiple hearing rooms, each hearing room needs to be able to, to have that process of taking what's said on the microphone and fed through the encoder.

CLEMENTS: I thought-- I think I know the answer, but I wanted to ask you. Who is the owner of these videos? Is NPM or the Legislative Council?

BRANDON METZLER: Excellent question. This is also something I would suggest the Exec Board look seriously at in their-- in a policy. NPM has always made the representations that the Legislature is the owner of the video. We have some old agreements between NPM and the Legislature that state as much, but nothing has ever been seriously in writing, you know, no contract signed. NPM has been extremely gracious with their time, talent, and abilities; and we're, we're very grateful for them. But that's certainly something that the Exec Board could look at, is getting that finality of, you know, we own the video. Again, we've never claimed a copyright on it. You know, could we? I don't know. But-- but there's certainly that option out there of you guys defining exactly what the ownership looks like of that video.

CLEMENTS: Thank you. I agree.

BRIESE: Thank you, Senator Clements. Senator Lowe.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

LOWE: Thank you. I'd like to dovetail off of Senator Arch's question about committee hearings and floor debate. We have-- sometimes we have interim committee hearings off premises. We're just talking about on premises here.

BRANDON METZLER: Correct. Yes. Yes, I will-- I'll say yes. For example, the Judiciary, that would be a decision for you all to make. You know, in those Judiciary listening sessions, they were filmed by NPM. They were transcribed. You know, that wouldn't be that hard to-- to convert to, you know, this video database. You would probably need a bill to link it with. I think that's a concern. But for interim hearings, if they're not broadcast by NPM and they're not transcribed, it would have to be out of this realm because we don't have those capabilities without any of the technology that are actually, you know, grabbing what's said at those interim hearings.

LOWE: OK. Thank you.

BRIESE: Thank you, Senator Lowe. Senator Clements.

CLEMENTS: One more thought. Where do you plan to store all this video? Is it going to be on the cloud with Amazon or we have to have a new server in the building?

BRANDON METZLER: Absolutely. Thank you, Senator. That's another thing with our costs, I mean, we're going to have. So this would be an Exec Board decision. This goes to retention. How much do you want to retain? If you want to retain everything, that looks different than if you want to retain just this week's hearings, just this year's hearings, just this biennium. The thought as of now is we would have on-prem storage of the biennium. So this year and next year say it was '25-26, and then everything else would go to cloud storage. The reasoning is you've got, I mean, the thing that you have to consider is you've got both the storage and the retrieval costs. So to put it somewhere costs something and for somebody to go and get it costs something. So the more you can put into that cloud storage and nobody goes to get it, you know, video from last week, video from ten years ago, however you decide what your retention schedule looks like, when you put it in that cloud storage, it costs you to store it, but it also costs somebody to go pull it. So that's part of us beefing up our current on-prem storage with this bill is that if something were to happen where five-- five years ago, something becomes relevant now and people are going to pull that video, we can quickly move it from cloud storage to on-prem storage so that when people are going to get it, it's right in our house and they're not pulling it from Amazon Cloud

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

storage. Amazon Cloud storage is where we store a vast majority of our data in the cloud. So that's where this video would be had. But that's where the cost comes from is we need a place to be able to put stuff that is, you know, we didn't see coming that suddenly becomes a hot topic that was five years ago and people aren't pulling it out of the cloud, you know, raising our cost quickly. It's on-prem. It's cheaper that way.

CLEMENTS: I'm glad you've considered that. That sounds like--

BRANDON METZLER: Absolutely.

CLEMENTS: -- a good process. Thank you.

BRIESE: Thank you, Senator Clements. Anyone else? Seeing no other questions, thank you for your testimony.

BRANDON METZLER: Thank you.

BRIESE: Any other neutral testifiers? Seeing none, Senator Brewer, you're welcome to close.

BREWER: All right. Well, first off, big thanks to Brandon. He understands it and understands the issues. And that's refreshing because we want to make sure that we look at the issues and don't figure out something later that we should have been on top of. Obviously, in order to make sure that it is constitutionally sound, we need to spend some time with him, get an amendment that corrects the errors that he identified. Just kind of run around the room, I did not ever intend for the execs to be on there. If the light's not on and we're not recording, then that would not be a part of it. Senator Clements, thanks for pointing that out on ownership. I assumed that, and I shouldn't do that. Senator Vargas, I understand what you're saying. As far as concern when we take pictures or video of someone, but I guess my thought was that if you come into a public building, into a public hearing where you already got cameras and everything going just from whatever news station or photographer, you put yourself in an environment where you have chose to come and present your image. And, you know, I think there's some individual accountability there. If you don't want that, then don't put yourself in that position. And as far as, you know, things being used, if there is a controversial bill, somebody is recording it somewhere. And if you-- if you get up and you behave in a way you shouldn't or say things you shouldn't, you know, I think maybe we should be accountable for that. And so that was kind of the thought process I had with some

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

of the questions I tried to catch on-- on the roundabout here. So I'm open for any other questions.

BRIESE: Thank you, Senator Brewer. Any other questions? Speaker Arch.

ARCH: It's not-- it's not so much a question, but I know that when Brandon was here, he talked about the need to establish kind of a parallel policy by the Exec Board. I think as you're working on-- as you're working on some amendments with Brandon, I think maybe some suggestions as to the elements of that kind of a policy for implementing this if it goes through, that would be helpful.

BREWER: Thank you. We will do that.

BRIESE: Thank you, Senator Arch. Senator Vargas.

VARGAS: Appreciate you, Senator Brewer, and-- and for clarification, I think you're right. People coming in here have the full expectation that their voice and what they say that that's for the public record. It's more than just this new age of, of data and the data points of people's faces. And that's-- this is a new problem. It's a very, very new problem. And nobody's clearly figured this out in state government. And I think it's more of a transparency for the public also hearing that in addition to what you say, which has always been public in some way, shape or form, it's the data and the AI that comes from your face and facial recognition, which would now be available for people. So it's just a new problem that we're running-- not a problem. It's a new area of policy that people have been handling in the private space. They've been dealing with it in the public and law enforcement space. And I just want to make sure it's something that we're aware of the long term. And just one question I have for you is and this is sort of to Senator Clements and our work on Appropriations, my hope is we really evaluate the actual long-term cost of this cloud data storage. And if we're talking about doing this for-- for a long time and for every single hearing, and I want to make sure we're really accurately considering the long-term cost of it. And I don't know if you want to react to that or have questions on that but.

BREWER: Well, actually I think a good point. And it wasn't till Brandon sat down and started talking through, I thought, you know what, any other legislature in the country, they're going to cherry-pick certain bills that are going to get to move forward and they're going to have hearings on those. But it ain't going to be five simultaneous ones going morning and afternoon, multiple days. So all

Transcript Prepared by Clerk of the Legislature Transcribers Office
Executive Board February 10, 2023

of a sudden you can start to see and some of these go really, really long and lots and lots of testifiers. And so, again, he was spot on in picking that out because that is something that we have to consider or else we're going to dive in and maybe be a little deeper in the pool than we thought we were.

VARGAS: OK.

BREWER: I think it's a great point.

VARGAS: If it's any consolation, we-- even with our online comments, you know, it's with the intent of having more transparent, more people coming in. And we've gotten some letters and emails saying that it wasn't working properly for everybody. If we're going to spend the resources and the money, I want to make sure it works for people so--

BREWER: Agreed.

VARGAS: --we don't have customer serve-- customer service, public service, customer service problems for individuals so.

BREWER: I guess if I could ask, one issue is that we had one person in opposition who asked for the bill to be moved forward. You know, I hate that we have a situation where someone is in opposition, but they're not in opposition because that goes into the official record as someone who opposes the bill who's asking it go forward. And in my opinion, that's more of a neutral testimony than an opposition, because moving the bill forward is a positive action. And I just wanted to share that. And I appreciate you pointing that out.

BRIESE: Thank you, Senator Brewer. Any other questions? Seeing no other questions, thank you for joining us here today.

BREWER: Thank you.

BRIESE: And we did have 36 letters in support, 0 letters in opposition. And that will close the hearing on LB254 today, and that will close our hearings for today.