

AMENDMENTS TO LB777

Introduced by Brewer, 43.

1 1. Strike original sections 2 and 3 and insert the following new
2 sections:

3 Section 1. The records of all floor debate and committee hearings as
4 prepared and permanently maintained by the Clerk of the Legislature are
5 the only official records of the Legislature.

6 Sec. 3. Section 79-1313, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 79-1313 The Nebraska Educational Telecommunications Act creates the
9 Nebraska Educational Telecommunications Commission for the purpose of (1)
10 promoting and establishing noncommercial educational telecommunications
11 facilities within the State of Nebraska, (2) providing noncommercial
12 educational telecommunications programs throughout the State of Nebraska
13 by digital broadcast, by closed-circuit transmission, by Internet-based
14 delivery, or by other telecommunications technology distribution systems,
15 ~~and~~ (3) operating statewide educational and public radio and television
16 networks, facilities, and services, and (4) developing and maintaining a
17 publicly accessible, indexed, digital Internet archive of Nebraska
18 Legislature video coverage as provided in section 79-1316. The commission
19 shall seek funding from federal, state, foundation, and private sources
20 for capital construction and annual operations.

21 Sec. 4. Section 79-1316, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 79-1316 The powers and duties of the Nebraska Educational
24 Telecommunications Commission are:

25 (1) To promote and sponsor a noncommercial educational television
26 network to serve a series of interconnecting units throughout the State
27 of Nebraska;

1 (2) To promote and support locally operated or state-operated
2 noncommercial educational radio stations with satellite receiving
3 capabilities and improved transmitter coverage;

4 (3) To apply for and to receive and hold such authorizations,
5 licenses, and assignments of channels from the Federal Communications
6 Commission as may be necessary to conduct such educational
7 telecommunications programs by standard radio and television broadcast or
8 by other telecommunications technology broadcast systems and to prepare,
9 file, and prosecute before the Federal Communications Commission all
10 applications, reports, or other documents or requests for authorization
11 of any kind necessary or appropriate to achieve the purposes set forth in
12 the Nebraska Educational Telecommunications Act;

13 (4) To receive gifts and contributions from public and private
14 sources to be expended in providing educational telecommunications
15 facilities and programs;

16 (5) To acquire real estate and other property as an agency of the
17 State of Nebraska and to hold and use the same for educational
18 telecommunications purposes;

19 (6) To contract for the construction, repair, maintenance, and
20 operation of telecommunications facilities;

21 (7) To contract with common carriers, qualified under the laws of
22 the State of Nebraska, to provide interconnecting channels or satellite
23 facilities in support of radio, television, and other telecommunications
24 technology services unless it is first determined by the Nebraska
25 Educational Telecommunications Commission that state-owned
26 interconnecting channels can be constructed and operated that would
27 furnish a comparable quality of service at a cost to the state that would
28 be less than if such channels were provided by qualified common carriers;

29 (8) To provide for programming for the visually impaired, other
30 print-handicapped persons, and the deaf and hard of hearing as authorized
31 by the Federal Communications Commission under subsidiary communications

1 authority rules, through contracts with appropriate nonprofit
2 corporations or organizations which have been created for such purpose;

3 (9) To arrange for the operation of statewide educational
4 telecommunications networks, as directed by the Nebraska Educational
5 Telecommunications Commission, consistent with the provisions of the
6 federal Communications Act of 1934, as amended, and applicable rules and
7 regulations, with policies of the Federal Communications Commission, in
8 cooperation with the State Board of Education insofar as elementary and
9 secondary education programs are concerned, and in cooperation with the
10 Coordinating Commission for Postsecondary Education insofar as
11 postsecondary education programs are concerned;

12 (10) After taking into consideration the needs of the entire state,
13 to establish and maintain general policies relating to the nature and
14 character of educational telecommunications broadcasts or transmissions;

15 (11) To review, or cause to be reviewed by a person designated by
16 the commission, all programs presented on the network prior to broadcast
17 or transmission to insure that the programs are suitable for viewing and
18 listening. Such suitability shall be determined by evaluating the content
19 of the program, and screening the programs if necessary, as to their
20 educational value and whether they enhance the cultural appreciation of
21 the viewer and listener and do not appeal to his or her prurient
22 interest. When it is obvious from an examination of the descriptive
23 program materials that a program is suitable for presenting on the
24 network, no further review shall be required;

25 (12) To cooperate with federal or state agencies for the purpose of
26 obtaining matching federal or state funds and providing educational
27 telecommunications facilities of all types throughout the state and to
28 make such reports as may be required of recipients of matching funds;

29 (13) To arrange for and provide digital radio and television
30 broadcast and other telecommunications technology transmissions of
31 noncommercial educational telecommunications programs to Nebraska

1 citizens and institutions, but no tax funds shall be used for program
2 advertising which may only be financed out of funds received from
3 foundations or individual gifts;

4 (14) To coordinate with Nebraska agencies that deal with
5 telecommunications activities and are supported in whole or in part by
6 public funds;

7 (15) To adopt bylaws for the conduct of its affairs;

8 (16) To make certain that the facilities are not used for any
9 purpose which is contrary to the United States Constitution or the
10 Constitution of Nebraska or for broadcasting propaganda or attempting to
11 influence legislation;

12 (17) To publish such informational material as it deems necessary
13 and it may, at its discretion, charge appropriate fees therefor. The
14 proceeds of all such fees shall be remitted to the State Treasurer for
15 credit to the State Educational Telecommunications Fund and shall be used
16 by the commission solely for publishing such informational material. The
17 commission shall provide to newspapers, radio stations, and other news
18 media program schedules informing the public of programs approved by the
19 commission;~~and~~

20 (18) To maintain a digital archive of programs and educational
21 content containing stories, events, individuals, and performances which
22 are significant or prominent in Nebraska history; and -

23 (19) To develop and maintain a publicly accessible, indexed, digital
24 Internet archive of Nebraska Legislature video coverage, including all
25 floor debate and public committee hearings, beginning with the coverage
26 of the One Hundred Eighth Legislature in January of 2023. All previous
27 applicable historical video coverage of the Nebraska Legislature shall be
28 collected and added to the digital archive as available. As provided in
29 section 1 of this act, the records of all floor debate and committee
30 hearings as prepared and permanently maintained by the Clerk of the
31 Legislature are the only official records of the Legislature, and such

1 archive is intended solely for educational and informational purposes and
2 to enhance access for the public in keeping with the Legislature's
3 commitment to transparency in state government. The commission may
4 determine and utilize the best formatting and file management methods for
5 such digital archive.

6 Sec. 7. The Revisor of Statutes shall assign section 1 of this act
7 to Chapter 50.

8 2. Renumber the remaining sections and correct internal references
9 accordingly.