

State of Vermont

Artificial Intelligence Task Force

Established Pursuant to Act 137 (H.378) of the 2017-2018 Legislative Session

Meeting No. 12

Thursday October 17, 2019 9:41 AM – 12:32 PM

Champlain Valley Exposition North

3625, 105 Pearl St

Essex Junction, VT 05452

Members present— Brian Cina; Jill Charbonneau; John Cohn; Joe Segale; James Lyall; Christopher Herrick; Jessica Vintinner; Mark Combs; and Honorable John Dooley.

Staff present—Ryan Flanagan

(9:41-9:50 a.m.) **Welcome, review of agenda, acceptance of September meeting minutes**

- ❖ At 9:41 a.m., the meeting started. Christopher Herrick suggested that the AI Task Force focus on what's important, urging members to keep conversations short so voting can occur.
- ❖ At 9:45 a.m., John Cohn put forth a motion to accept meeting minutes from September 23, 2019. Jill Charbonneau seconded the motion. Presiding Chair John Dooley requested a roll call for the vote, most voted in favor and the motion passed. 8-0-1.
 - ❖ Aye: Brian Cina; Jill Charbonneau; John Cohn; Joe Segale; James Lyall; Jessica Vintinner; Mark Combs; and Honorable John Dooley.
 - ❖ Nay: None
 - ❖ Abstain: Christopher Herrick;
- ❖ After this, John Dooley told the group that there are five requirements for the report that will be voted on today. There are also other elements such as economic development, education, and labor effects, which are not necessary but might be added to the report.

(9:50-10:30 a.m.) **Final Report: Requirement #5 (Establishment of a Permanent Commission)**

- ❖ At 9:50 a.m., John Dooley read requirement 5 of the report, which reads “a recommendation on whether the General Assembly should establish a permanent commission to study the artificial intelligence field.”
 - ❖ Joe Dooley introduced a draft of the report language with respect to requirement (5). The draft recommends a permanent commission and provides some detail on membership, structure and powers and responsibility. He voiced that any regulatory

matters would be pushed to this commission. The group has not decided yet regarding regulation, so this was important to consider.

- ❖ At 9:56 a.m., Brian Cina put forth a motion to move forward with an official first draft. He explained that the creation of the report will be a two-phase process, with the final draft coming after this. Joe Segale seconded the motion. Presiding Chair John Dooley requested a roll call for the vote, all voted in favor and the motion passed. 9-0-0.
 - ❖ Aye: Brian Cina; Jill Charbonneau; John Cohn; Joe Segale; James Lyall; Christopher Herrick; Jessica Vintinner; Mark Combs; and Honorable John Dooley.
 - ❖ Nay: None
 - ❖ Abstain: None
- ❖ John Cohn suggested that the group have a retreat to have more time to discuss the report. However, this would be difficult as it would be expensive for the task force.
- ❖ After this, John Dooley told the group that Brian Breslend, co-chair of the AI Task Force, had two questions about the establishment of a permanent commission. One question he had was regarding accepting private money. However, John Dooley assured him that accepting these funds goes through a process with Vermont Legislative Joint Fiscal Committee so oversight necessarily occurs. It is not as simple as it appears.
- ❖ The other question that Brian Breslend had was regarding a budget for the task force. Brian Breslend believed the task force should establish a proposed budget before it goes to the Legislature.
 - ❖ John Dooley thought that it would be wise not to give them a budget, so the group looks flexible in the funding it is receiving. Brian Cina agreed on this and said that Legislature can decide on the money. John Dooley believed there might be other funding opportunities as well.
 - ❖ Joe Segale asked about the part of John Dooley's recommendations for a permanent commission, which stated, "The Commission should have a small staff and a separate office and be funded at least in part by a direct appropriation."
 - ❖ Brian Cina was also curious about why the group was asking for a separate space. John Dooley pointed out that these recommendations were largely based on the statutory language for the Vermont Commission on Women and other permanent commissions.
- ❖ Jill Charbonneau asked about grant funding opportunities. She asked if the commission would be allowed to accept grant money.
 - ❖ Christopher Herrick pointed out that most state agencies are level funded. Funding rarely changes so it might be worth seeking out other funding like grants.
 - ❖ Joe Segale voiced that it is important to state what resources the task force needs and then move on from there. Most commissions start with minimal funding.
- ❖ Christopher Herrick told the group that the Legislature will ask the group how much funding it needs for a permanent commission.
 - ❖ Knowing this, Brian Cina suggested that the task force make a report and ask the legislative council to draft a bill. The draft can state roughly what it would cost to run the commission depending upon the size of its staff.

- ❖ At 10:16 a.m., Brian Cina commented that the group limit discussion. He said unless it is urgent, then people should hold off their thoughts and opinions.
- ❖ At 10:19 a.m., James Lyall told the group some of his concerns. He recommended that the task force consider a smaller and professionally staffed commission.
 - ❖ John Dooley commented that stakeholders are important. Every commission has them. Mark Combs also commented that this task force needs expertise that is very difficult to hire into a state office.
- ❖ At 10:20 a.m., John Dooley agreed that he would be the editor for the group's activities as it works toward its final report.
- ❖ At 10:23 a.m., Jill Charbonneau voiced that it will not matter what the task force recommends when it goes to Legislature. Things will change.
- ❖ At 10:26 a.m., John Dooley told the group that the part of the draft that lays out the powers and responsibility of the Commission is very important and should remain in the report language even if other parts are shortened.
 - ❖ John Dooley voiced that the task force could construct the code of ethics. If it becomes permanent, it will become the monitoring agency.
- ❖ At 10:30 a.m., Brian Cina put forth a motion to adopt recommendation #5 as part of the first draft. James Lyall seconded the motion. Presiding Chair John Dooley requested a roll call for the vote, most voted in favor and the motion passed. 7-0-2.
 - ❖ Aye: Brian Cina; Jill Charbonneau; John Cohn; Joe Segale; James Lyall; Mark Combs; and Honorable John Dooley.
 - ❖ Nay: None
 - ❖ Abstain: Christopher Herrick; Jessica Vintinner

(10:30-11:01 a.m.) Final Report: Requirement #3 (State Regulation of AI)

- ❖ At 10:30 a.m., the task force switched its focus to requirement #3 of the report, which reads, "a proposal for State regulation of artificial intelligence, if needed."
- ❖ It was voted last time that regulation is not recommended at this time. There is currently no proposed regulation, but part of the responsibility of the Commission is to propose regulation, if it thinks that regulation is needed.
- ❖ Jill Charbonneau stressed that the group does not have enough information to make decisions regarding regulation. With that being said, John Dooley said he would take on the topic of regulation as a subcommittee of one person. Brian Cina recommended that group construct a paragraph to tell the Legislature about regulation, so that the point is clear and succinct.
- ❖ At 10:48 a.m., John Cohn voiced his opinion on regulation. He provided the example of European Union General Data Protection Regulation (GDPR) as legislation with good intentions to help with data and privacy issues regarding AI; however, it does not work well and presents itself as a challenge to many small business owners.
 - Brian Cina added that although no specific laws or regulations are needed at this time, there might be legislation needed in the future.

- ❖ At 10:52 a.m., Jessica Vintinner put forth a motion to vote on requirement #3 of the report (if regulation is needed at this time). Christopher Herrick seconded the motion. Presiding Chair John Dooley requested a roll call for the vote, most voted against the motion and the motion failed. 4-5-0.
 - ❖ Aye: Brian Cina; James Lyall; Jill Charbonneau; and Honorable John Dooley.
 - ❖ Nay: Christopher Herrick; Jessica Vintinner; Mark Combs; Joe Segale; and John Cohn
 - ❖ Abstain: None
- ❖ At 10:52 a.m., James Lyall left the meeting.
- ❖ After this vote occurred, John Dooley gave the task force an update for what he plans to do going forward. John Dooley said that he will send an email titled crunch time #1 and he wants people to respond to it.
- ❖ John Dooley also volunteered to be a subcommittee of one person for requirement #1 of the report, which reads, “investigate the field of artificial intelligence.” He told the group that it still must make decisions regarding ethics and other subcommittees.

(11:01-11:12 a.m.) Report Addition 1—AI Education with Focus on Ethics

- ❖ At 11:01 a.m., John Cohn handed out his recommendations on education. John Cohn told the task force that UVM is working more on STEM outreach and it would be interesting to have a pilot program around AI education.
 - ❖ The project would involve students, teachers, and leaders. It would give them AI skills and likely help retrain the workforce, as AI becomes more ubiquitous.
 - ❖ John Cohn said that he is looking to talk to the agency of education on this possibility.
- ❖ Brian Cina liked the idea of AI education. However, he said that it does fall outside of the requirements of the report. Brian Cina said that it might be worth considering this idea as part of its own bill.
- ❖ John Dooley told John Cohn that the idea of promoting AI education as a possible conduit to workforce development is a great idea. However, a rationale should first be developed for this educational program.
- ❖ John Cohn agreed to draft a new, more simplified, version of the AI education proposal for the next meeting
- ❖ At 11:05 a.m., Joe Segale left the meeting.
- ❖ Brian Cina added that the bill should become a separate project that has the recommendation of the AI Task Force.
- ❖ At 11:12 a.m., Christopher Herrick left the meeting
- ❖ At 11:12 a.m., the group took a break for lunch.
- ❖ Honorable John Dooley, Jessica Vintinner, and Ryan Flanagan spoke more on the final development of the report. Each gave their availability. At 11:30 a.m., Jessica Vintinner left the meeting.

(11:40-12:23 a.m.) Final Report: Requirement #4 (Ethical development of AI in the State)

- ❖ At 11:40 a.m., the group reconvened. Without a quorum, the group chose to focus on discussing requirement #4 of the report, which states, “a proposal for the responsible and ethical development of artificial intelligence in the State, including an identification of the potential risks and benefits of such development.”
- ❖ It was agreed that the task force should recommend adoption of an AI Code of Ethics based on a simplified and summary version of the European Union Code of Ethics. Brian Cina has put forward a proposed Code of Ethics that meets the above standard, and the group agreed that it should be the first draft for the report.
- ❖ At 11:47 a.m., John Dooley asked what body should adopt the Code. Brian Cina believed that Legislature should adopt it.
- ❖ At 11:49 a.m., John Dooley asked who would be able to modify the code of ethics. Brian Cina stated that commission should be able to modify it, as it goes along with requirement #5 (establishment of a permanent commission).
- ❖ At 11:51 a.m., Mark Combs voiced that it is good language for the code, but it should be included in other fields like education and labor. John Cohn said that it should be mentioned that the task force’s code of ethics is extracted from EU Code.
- ❖ John Cohn also mentioned that the task force might want to be prescriptive about emerging standards. Brian Cina added that the commission’s ongoing role is looking at ethics, which will become a living, breathing document.
- ❖ At 12:00 p.m., John Dooley asked Brian Cina whether he could write a first draft of report language on the first part of requirement (4) dealing with ethical standards. He agreed to do so. With respect to the second part of the requirement – identification of potential benefits and risks of AI -, Donna Rizzo and John Cohn agreed to do a draft on potential benefits of AI and James Lyall agreed to do a draft on potential risks of AI.
- ❖ The discussion turned to labor effects of AI. At 12:04 p.m., John Cohn read about labor effects that Donna Rizzo sent in an email. Ryan Flanagan said that he would help send this out to other members of the group.
- ❖ At 12:10 p.m., Mark Combs leaves.
- ❖ At 12:10 p.m., John Dooley spoke about AI task forces around the United States.
 - ❖ Washington has a similar task force, but it does not have to report until next year. Washington’s task force is focused almost entirely on job losses and gains associated with AI. Its task force membership is diverse including 2 members of the House of Representatives, 2 members of Senate, and labor representatives.
 - ❖ Jill Charbonneau voiced that she wants workers at the table if Vermont choses a similar structure to the commission. Jill Charbonneau said that she wants something outside of collective bargaining. She also wanted the public to have the option to reach out to the commission if needed.

(12:23-12:30 p.m.) Prep for AI Public Meeting at Seven Days’ Tech Jam

- ❖ At 12:23 p.m., the group began their preparation for Tech Jam.

- ❖ John Cohn set up a slide presentation which put up on the screen: the agenda, mandate, public comment meetings, tentative recommendation areas, and a current working definition of AI. The meeting would then open to public comment.
- ❖ Each of members chose what slides they would present.
- ❖ At 12:30 p.m., Brian Cina read his draft language on the (4) report requirement dealing with the Code of Ethics.
 - ❖ He asked Ryan Flanagan to send it out to the Taskforce as his first draft.
- ❖ At 12:32 p.m., the meeting adjourned. After this the members prepped for their public meeting at Tech Jam which took place from 1:00-2:30 p.m. following this meeting.