

State of Vermont
Artificial Intelligence Task Force
Established Pursuant to Act 137 (H.378) of the 2017-2018 Legislative Session
Meeting No. 11
Friday August 23rd, 2019 9:21 AM – 12:05 PM
Montpelier Conference Room, basement level
Vermont Agency of Commerce and Community Development
1 National Life Drive
Montpelier, VT 05620

Members present: John Cohn; Donna Rizzo; Joe Segale; Mark Combs; Honorable John Dooley; Brian Cina; James Lyall; Jessica Vintinner, for the Secretary of Commerce and Community Development; and Eugene Santos, Jr.

Members present by phone: Jill Charbonneau

Others: Henri Amistadi; Susan Bettmann

Members Missing: Milo Cress; Trey Dobson, MD; Christopher Herrick; and Brian Breslend.

Staff Present: Ryan Flanagan

(9:21-9:35 AM) Welcome, review of agenda

- ❖ Members discussed the agenda for the meeting, which included public meetings in both Norwich and Manchester, the Vermont Tech Jam, and development of the report.
- ❖ They decided that the next meeting will focus entirely on the report. This will occur on October 17th from 9:00 am to 1:00 pm before the Tech Jam. Ryan will reach out to Seven Days and see if this is a possibility.

(9:35-9:42 AM) Public comment

- ❖ The group allowed Henri Amistadi, a guest of the meeting, to thoroughly introduce himself. Working for Mitre in the Boston area for over a decade, Amistadi now is the owner of Operations Monitoring and Analytics in Waterbury, VT.
- ❖ Amistadi is involved in machine learning projects and other projects indirectly through his consultancy. Through attending open data conferences, he has a background in artificial intelligence. Now living in Vermont, he wants to help contribute to the study of this field.
- ❖ At 9:39 AM, Mark Combs enters the Montpelier Room.
- ❖ At 9:40 AM, members of the task force introduced themselves to Amistadi.

(9:43-9:56 AM) Preparation for October 1st Public Meeting in Norwich

- ❖ The group then discussed the preparation for the public meeting in Norwich, VT at the Montshire Museum of Science.
- ❖ Ryan explained that he had booked the museum's Porter Community Room from 5:45-8:00 PM for this event. Since the museum closes at 8:30 PM, the meeting must end early for the staff to lock up the facility.
- ❖ To help spread the word about the event, Brian Cina asked to have a copy of the press release, so that he could share it with other legislators. Gene also suggested posting it on the Montshire Museum's page.
- ❖ From previous public meetings, John Dooley told the members that some people will submit questions and testimony ahead of time, but it is a back-and forth dialogue for the main part.
- ❖ John Dooley also asked Ryan if he could record the event. That being said, Ryan will look into contacting local public media or renting a camera to provide coverage of the event to the public.
- ❖ Although he had RSVP'd for the Norwich public meeting, John Dooley noted that he could not attend. James Lyall asked about the meeting specifics. Ryan informed him of the details, and Lyall stated he could attend the meeting.

(9:56-10:06 AM) Preparation for October 10th Public Meeting in Manchester

- ❖ The group then turned their attention to the public meeting scheduled on October 10th. Ryan gave more insight into the event. He told the group that he had booked the Park House Activity Room for the event from 4:45 to 7:00 PM. He had contacted local schools, the Vermont STEMCorps, and other organizations to help spread word of the event.
- ❖ Ryan also detailed that the group is invited to speak at a local soccer game at Applejack Stadium, where the Vermont STEMCorps just recently launched its AI streaming system to record game footage. Brian Cina volunteered to speak briefly to the crowd about the task force's progress.
- ❖ The task force suggested that Ryan help spread the word by talking to additional news about the event by talking to newspapers like the Bennington Banner.
- ❖ Jessica Vintinner asked if there was a way for people to submit comments online. Ryan responded voicing that people can email questions and testimony to him, as he is provided as a contact in the press release.

(10:06 to 11:25 AM) Requirements 3 and 4 of Report

- ❖ The group then discussed requirements 3 and 4 of the report due to Legislature. Requirement 3 calls for "a proposal for State regulation of artificial intelligence, if needed," and requirement 4 calls for "a proposal for the responsible and ethical development of artificial intelligence in the State, including an identification of potential risks and benefits from such development."

- ❖ Gene Santos pointed out that Donna Rizzo had posted a one-page summary of ethics on Slack. After this, John Dooley read aloud Brian Cina's ethics report, which focused its attention on the freedom of AI benefits and opportunities, solidarity of AI, and the right to petition. Brian Cina gave more information on his report saying that he had based it on a 40-page EU code of ethics but simplified it.
- ❖ At this point, John Dooley asked if the code of ethics was aspirational or regulatory; the latter is the case for ethics codes of most professions. John Cohn joined the conversation by stating that another purpose of the code was as a basis for education. Donna Rizzo agreed with this statement, voicing that ethics is a required course among computer science majors at UVM.
- ❖ Gene Santos added that ethics leads to aspirational regulation. He asked the group two questions: *How do you deploy it (AI)? How do you guide it?* The code of ethics as a guiding document, and this is important for the group to acknowledge.
- ❖ Mark Combs added that he would like to have the aspirational message at the top of the report. The report can then focus on tackling AI topics such as privacy, rights, economic impacts, and use of this technology within the service sector.
- ❖ The discussion then focused on education as a tool to enforce a code of ethics. The taskforce agreed that the report should have a section on education.
- ❖ Henri Amistadi, the member of the public who attended the meeting, asked to address the taskforce on the EU Code of Ethics, and acting chair, John Dooley, allowed him to do so. Amistadi told the group that the EU is leading the way on privacy rights and protection. However, its regulations are still unenforceable. The ethics code could act as a guiding document and people must be able to reference it.
- ❖ Jessica Vintinner spoke on the topic. She stated that the field of artificial intelligence is changing so rapidly. Knowing this, the taskforce should recommend the creation of an informal guiding document that can be updated annually through the Legislature. It should not rush to turn something into law. John Cohn agreed arguing that the AI Task Force should support pilot projects rather than a code of regulations.
- ❖ All agreed that the taskforce should recommend a code of ethics that has no immediate regulatory effect, charging the AI Commission it will recommend to propose any regulation needed to enforce the code of ethics. This means that the taskforce will draft the recommendation for element three – the recommended content of any regulation, if needed to say that no regulation is needed at this time. Although there was extensive discussion, there was no consensus on what body should adopt the code of ethics. Some argued that the Legislature should adopt the code, but consider regulation based on it only after study and recommendations from the new AI Commission. Others argued that the AI Commission should adopt the code and then propose legislation, if any, based upon it.
- ❖ Hearing the input from the group, John Dooley set out a procedure for adopting recommendations on each required element of the report. The subcommittees on each element of the report should meet before the next meeting of the taskforce and draft recommendations for adoption at that

meeting. The draft should include what was agreed to at this meeting and proposed language on unresolved issues necessary to address completely what was asked of the taskforce by the Legislature. The taskforce should discuss the recommended language and vote on it, making edits as indicated as the voting goes along. Following this procedure, the subcommittee on ethics (report requirement (4)) was charged with the responsibility for drafting report recommendation language on required report elements (3) and (4), reflecting the decisions reached at this meeting and other necessary decisions including the legal effect of the code of ethics and which body (the Commission or the Legislature) should create and adopt the code. The subcommittee was enhanced with more members and will consist of John Cohn, Gene Santos, John Dooley, Mark Combs, Jessica Vintinner, Donna Rizzo and Jill Charbonneau.

- ❖ Jessica Vintinner wrote on the white board a proposed outline for the report, including an introduction, a legislative directive, an executive summary, an impact on workforce and wages, an impact on business, an impact on education, economic opportunities, and lastly findings and recommendations. She will circulate the outline to members of the taskforce.
- ❖ Talking more with the group, John Dooley decided to create three additional subcommittees because, based on taskforce discussions, there will be recommendations beyond those required by Act 137 of 2018. The subject areas of the subcommittees are: (1) labor effects of AI and policies with respect to likely effects, (2) education on AI ethics, and (3) Vermont economic development opportunities in AI application creation and how to support these opportunities. Jill Charbonneau will chair and recruit subcommittee members for the labor effects subcommittee and report on proposed recommendations and report language. John Cohn will be a subcommittee of one to study and report on proposed recommendations with respect to AI ethics education at the next meeting. The third subcommittee will be formed at the October meeting.
- ❖ At 11:23 AM, James Lyall left the meeting.

(11:25-11:25) Minutes—August 23, 2019

- ❖ At 11:25 AM, Gene Santos put forth a motion to accept meeting minutes from August 23, 2019. John Cohn 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: John Cohn; Donna Rizzo; Joe Segale; Mark Combs; Honorable John Dooley; Brian Cina; Jessica Vintinner; Jill Charbonneau; and Eugene Santos, Jr.
 - ❖ Nay: None
 - ❖ Abstain: None
- ❖ At 11:25 AM, Brian Cina left the meeting.

(11:25 AM-12:05 PM) Requirement 5 of the Report

- ❖ John Dooley then discussed the fifth required element of the report – whether to recommend a permanent new AI Commission to further study AI and make recommendations to the Legislature. He has been active on a subcommittee that has been working to draft a proposed response to report element (5), and prepared a memo posted on Slack that outlines the major parts of the

recommendation that a permanent AI Commission be created. Based on the memo, the taskforce agreed that the proposed commission should be independent of any state government agency; have approximately 14 members – roughly the same size as the taskforce; be made up primarily of representatives of stakeholders and informed citizens and include a Senator and a Representative. Further, the taskforce agreed that the Commission should have a separate budget appropriated by the Legislature and at least one staff person. The taskforce further agreed that Commission have a broad mandate to study AI developments in the State, including AI applications developed or used in the state, and opportunities to attract AI developers to the State to add to its economy and the effects of AI on jobs in the Vermont economy. The taskforce further agreed that the Commission should have a mandate to submit a report annually to the Governor and the Legislature on all aspects of AI in the State. Finally, the taskforce agreed that the Commission should have the power to propose legislation and rules to the Legislative and Executive branches, the duty to propose any needed modifications in the AI Code of Ethics, any needed regulation to enforce the code. John Dooley was charged with drafting specific report recommendation language consistent with these decisions.

John Dooley inquired as to any other business, there being none requested a motion to adjourn.

- ❖ At 12:05 PM, Gene Santos moved to adjourn the meeting. John Cohn seconded the motion. Presiding Chair John Dooley requested a roll call for the vote, all voted in favor and the motion passed. 7-0-0.
 - ❖ Aye: John Cohn; Joe Segale; Mark Combs; Honorable John Dooley; Jessica Vintinner; Jill Charbonneau; and Eugene Santos, Jr.
 - ❖ Nay: None
 - ❖ Abstain: None