

ONE HUNDRED THIRD LEGISLATURE - SECOND SESSION - 2014

COMMITTEE STATEMENT

LB692

Hearing Date: Monday February 03, 2014
Committee On: Education
Introducer: Sullivan
One Liner: Change and eliminate provisions relating to the Nebraska Educational Telecommunications Act

Roll Call Vote - Final Committee Action:

Advanced to General File

Vote Results:

Aye: 7 Senators Avery, Cook, Haar, Kolowski, Scheer, Sullivan, Seiler
Nay:
Absent: 1 Senator Davis
Present Not Voting:

Proponents:

Senator Kate Sullivan
Mark Leonard

Representing:

Introducer
Nebraska Educational Television

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 692 would revise and update technical language, delete obsolete statutory references and provisions and provide a more adequate reflection of the activities and functions of the Nebraska Educational Television Commission. These changes are found in Sections 79-1312 through 79-1325 of the Nebraska Revised Statutes.

LB 692 makes the following changes to the Nebraska Revised Statutes:

Section 1. Amends 79-1312 to reflect the elimination of statutes under LB 692 to clarify that the Nebraska Educational Telecommunications Act is now contained in sections 79-1312 to 79-1322 instead of the previous 79-1312 to 79-1325.

Section 2. Amends 79-1313 (2) to provide that the noncommercial educational telecommunications programs identified under this subsection, may be provided by a digital broadcast, instead of by "standard broadcast" and would also allow for an internet-based delivery method for the of transmission of noncommercial educational telecommunications programs under this subsection.

Also amends subsection (3) of this section, to add the term "facilities" to the entities that the Nebraska Educational Telecommunications Commission may operate, in addition to "public radio and television networks" in current statute.

Section 3. Amends 79-1314 (1) to change "standard" public television and radio to "digital" public television and radio to recognize the changing technology.

Subsection (2) of this section is amended to change the term "instructional telecommunications" to "educational telecommunications" and amends the definition of this new term to mean: "the organization and use of programs, technologies, and devices to store, archive, retrieve, process, display, receive, or transmit, by any means, information for the purpose of carrying out educational or other governmental entities' objectives." (An example of which is

broadcasting and archiving legislative floor debates)

These changes recognize a change in technology and more accurately reflects current activities of the Nebraska Educational Telecommunications Commission.

Section 4. Amends 79-1316 (which provides the powers and duties of the Nebraska Educational Telecommunications Commission) subsections (12), (13), (14) and (18) to provide the following:

Subsection (12), strikes a duty that the Commission cooperate with the "United States Secretary of Commerce" to obtain federal funds and provide telecommunications facilities across the state, as this provision was intended to seek grant money from a program that was housed under the Secretary of Commerce's office, which no longer exists. The requirement to continue to seek federal grants and other funds, would still remain under this provision as this section also requires the Commission to cooperate with federal agencies for that purpose;

Subsection (13), changes the term "standard radio and television broadcast" to "digital radio and television broadcast" as the terms are found in this section;

Subsection (14), is amended to strike the requirement that the Commission "provide programming material for the Nebraska Educational Telecommunications Network." This change is made to reflect the fact that N.E.T., provides a wider array of services to Nebraska agencies than just programming material, with an example being the broadcasting and digital archiving of legislative hearings and floor debates; and

Subsection (18), amends the duty requiring the Commission to "maintain a library of films and videotapes which depict a person who appear to be significant or prominent in Nebraska history", to provide for the use of modern technology for storing this media via "digital archive", as well as to more clearly define that the material to be stored, depict "programs and educational content containing stories, events, individuals and performances which are significant or prominent in Nebraska history."

Section 5. Amends 79-1317 by striking the reference to "distance learning" facilities from this section as the distance learning system for which these facilities were intended no longer exist.

Section 6. Amends 79-1319 by striking the term "excess transponder capacity" as that term refers to the satellite based distance learning system no longer in use and that has been replaced by the modern "digital internet system" utilized by the Commission.

Section 7. Strikes the following sections in their entirety:

79-1321 (NEB*SAT Cash Fund; created; use; investment.) which section pertains to the now defunct NET Satellite cash fund, and

79-1323 (State Department of Education; instructional telecommunications; powers and duties; rules and regulations.); 79-1324 (Instructional telecommunications; director; qualifications; appointment.); and 79-1325 (Instructional telecommunications; director; duties.), which sections supported educational initiatives within the Department of Education and contractual services at NET that were eliminated through budget cuts over a decade ago.

Kate Sullivan, Chairperson