Tuesday, Sept. 26, 2023
9:00-10:30am
[Meeting was held virtually]

AGENDA

● Call to Order
  ○ Chair Fitch called the meeting to order
● Roll Call / Attendance
  ○ 9/13 voting SERC members present (not present: Aaron Wittnebel, Denise Mazone, Kent Whitworth, Robert L. 'Deuce' Larsen)
  ○ 4/4 ex officio SERC members present
● Adoption of Agenda
  ○ No discussion; agenda was approved
● Updates from Chair/Vice Chair
  ○ There were no updates
● Public input: Rules for public submittal of state flag and seal submissions
  ○ Overview of DRAFT SERC Rules for Submission_State Flag and Seal Design Concepts (attachment)
    ■ Mazone and Sen. Kunesh reviewed recommendations
    ■ Potential Legal Review of SERC Public Input Rules / Guidelines
  ○ Walk through DRAFT SERC Rules for Submission_State Flag and Seal Design Concepts (attachment)
  ○ MNHS provided an update on pro bono consultation with law firm Fish & Richardson P.C. re: intellectual property laws as they relate to the public input/submission process; suggestions were incorporated into the submission guidelines
    ■ A submission form is also being created to accompany the rules and submission guidelines
    ■ Fish & Richardson P.C. were thanked for their pro bono review and quick turnaround
  ○ Commission members further discussed intellectual property issues such as plagiarism, copyright, and artificial intelligence (AI) and whether the submission guidelines adequately addressed these issues
    ■ The submission guidelines would allow for modification or adaptations of designs, per the review process of finalists
  ○ There was further discussion about AI, in particular, with a desire to firm up language in the agreement as to whether/not to allow AI generated designs
    ■ It was advised that we return to the law firm (Fish & Richardson P.C.) to suggest language (is there a standard language for AI?) to include in the submission guidelines
○ The number (amount) of flag and seal submissions was discussed; it was suggested that 3 submissions each (3 for the flag, 3 for the seal) was an appropriate number based on precedent set by other states
  ■ A motion was proposed to allow 3 designs per flag and 3 designs per seal; motion was voted on and approved
○ A motion was put forward to approve the DRAFT SERC Rules for Submission_State Flag and Seal Design Concepts document pending legal review with specific attention to language surrounding AI; motion was voted on and was approved
○ MNHS agreed to post the submission guidelines (publically) as soon as practical; it was discussed that AI is an emerging technology and the SERC wanted to ensure it is acknowledged but does not detract from the timeline goals of the Commission
  ■ A motion was proposed to direct MNHS to seek public submissions asap notwithstanding the ongoing AI discussion; motion was voted on and approved
○ Commission members asked about public submissions and where to store them, view them (publically), and keep them organized
  ■ MNHS responded that design submissions should go through the submission process that will be launched shortly (to ensure submissions sign off on qualifying factors); the number of submissions and public comments may dictate the method to which they are distributed and made available to the public
  ■ MNHS is hoping to go live with public submissions within days

• Meetings and next steps
  ○ Chair/Vice Chair and MNHS will keep the SERC members informed of the AI conversation with Fish & Richardson P.C.

• Adjourn

Attachments:

• SERC Rules for Submission_State Flag and Seal Design Concepts