

One Hundred Second Legislature - Second Session - 2012

Introducer's Statement of Intent

LB719

Chairperson: Senator Bill Avery

Committee: Government, Military and Veterans Affairs

Date of Hearing: January 20, 2012

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

The Nebraska State Records Board (NSRB) oversees and manages electronic access to state government information. The Secretary of State serves as Chairman of the 12-member Board. Other members are the Governor, Attorney General, State Auditor, State Treasurer, Director of Administrative Services or their designees, as well as representatives of the general public, banking industry, insurance industry, legal profession, media and libraries.

Currently, the NSRB is required to provide electronic access to public records through a gateway and to develop and maintain the gateway for accessing public records. The Board is given authority to contract with a network manager to accomplish these tasks and is authorized to set reasonable fees for electronic access of public records.

LB 719 updates the role and duties of the board to include providing electronic access to “electronic information and services” and to setting reasonable fees for such access. The bill requires state agencies desiring to enter into an agreement with a private vendor or the network manager to provide electronic information and services for a fee to go before the NSRB to have the fee approved.

LB 719 changes the term “gateway” or “electronic network” to the more commonly used term “portal” and updates the definition of “portal” and the duties of the network manager.

LB 719 removes the requirement that fees established by the Board terminate after 18 months unless enacted by the Legislature and changes a reporting period from quarterly to annual.

LB 719 allows state agencies to impose percentage based convenience or surcharge fees upon a person making a payment by credit card and specifically prohibits a merchant bank or credit card company from assessing any fee or penalty against the state for imposing a percentage based surcharge or convenience fee.

LB 719 removes public record statute 84-1205.06 due to inconsistencies with other public records laws.

Principal Introducer: _____

Senator Scott Price