

there was a takings or not, the information that the Attorney General gave and the rationale isn't even going to be open to discovery. It will be absolutely as if it didn't exist. So now you can have the State of Nebraska making a decision based upon an Attorney General's Opinion, and the decision may be opposite. I'll give you an example, the Attorney General may say,...

PRESIDENT ROBAK: One minute.

SENATOR BERNARD-STEVENS: ...this is a takings, and for whatever reasons the powers that be say, that's fine, we understand that, but that's simply an opinion, we're going to rule that it's not anyway and proceed. I think that should be a part of the record and people need to know that. And the way I understand the proceedings is even if it was public information, even if it was open to discovery, that when it goes to court the court's going to make a decision based on fact, questions of fact. Is it or is it not a takings according to the law. And whether or not this opinion by the Attorney General was in fact public or not should be relatively irrelevant to the actual decision of the court. So I think it's a little bit higher question, and I'll be offering the amendment to keep it public information, unless I can be shown that it is a radical departure of what we should try to do of keeping government open to the public. So I wanted the members to be aware of the upcoming amendment that will be, I think, right after this one.

PRESIDENT ROBAK: Thank you, Senator. Senator Bohlke, Day, Schimek and McKenzie wish to announce that the following guests are visiting the Legislature this morning, Keriann Johnson, Mariel Harding and Aimee Schmidt are here from Norris Elementary. They're doing research...they're a research team for Women in History Month. They're under the south balcony. Will you all stand and be recognized, please. Welcome. Senator Hall, your light is next, followed by Senators Beutler and Schimek.

SENATOR HALL: Thank you, Madam President, members. The...I guess the question I have, and I'll direct it toward Senator Bromm, it goes something to what Senator Bernard-Stevens just spoke co. But, Senator Bromm, what happens if the Attorney General advises the Governor or the agency director that he or she believes there is a taking? What...I mean what is there...is there any...I don't see anything and I don't know what the, you know, 84-905.02 might look like but...because I