

about. It's open to the public. It is no different than this Legislature proposing a bill, a law, asking the Attorney General to render an opinion on this matter even though there is no court case filed yet, and when that opinion is rendered, we make it open to the public. Why? Because we're a democracy. The public has the right to know. And we're also an open democracy, at least we're supposed to be, and maybe the government needs to let the people know some things that we don't like for them to know because it may make us look embarrassing. It may make us look like idiots because the question, why are we doing it? And that also is a part of democracy. It is the most fair system out there if, in fact, we're willing to let the public know. And Senator Dierks argues that it is unfair that we need to, in order for fairness, keep it secret, keep the landowner in the dark, make sure that nobody knows what we're doing and that's what he'll call fair. Nonsense, nonsense, nonsense. This amendment simply says that if, in fact, the State of Nebraska is doing policies and rules and regulations, that are very open by the way, the hearings are very open, but if we're doing regulations that are illegal takings, that the Attorney General finds that what we're doing may be illegal, that the public will be made aware of that. And no one has even brought up the fact that maybe what's going to happen is that the Attorney General will rule that it is not a taking in his or her decision, opinion. And what would that rule? Nothing, nothing changes. If I'm a landowner and I believe my land has been taken illegally, the only recourse I have is none of this bill, none of the other things we've talked about, but legal action offered by the courts and they will make that ascertainment through questions of fact. This would not change any of that. So the question before this body is, do you want to go ahead and have a secret type of situation where the public is going to say, gee, Attorney General, you made an opinion on the land that I have, would you let me know what it was? And we'll say, I'm sorry, the Legislature said that that's closed, the public does not have a right to know that and you the landowner, I'm sorry, can't know that either. Or are we going to say here today that if we're going to pass a bill of this sort, if we're going to pass this type of bill, do we say to the landowner, look, we're going to make, have an opinion made by an Attorney General and you'll know that opinion as all Nebraskans will, as all state senators will, and then we'll use that information to chart the best course for the state. That's good policy, that's open democracy and that's why this is a good amendment.