

public by the lawful custodian of the records, then it lists those. It doesn't expand on that list. The only thing we do, the only section we amend is 11 that addresses the legislative telephone records, and it says in whatever form. And it says that the lawful custodian of such records, correspondence, memorandum, records of calls, upon approval of the Exec Board of the Legislative Council shall release such correspondence, memorandum, and records of telephone calls which are not designated as sensitive or confidential in nature to any person performing an audit of the Legislature. Members' correspondence, memorandum and records of confidential phone...telephone calls related to the performance of his or her legislative duties shall only be released to any other person with the explicit approval of the member. It doesn't do anything except clarify that one section on the...with regard to the individual legislative records, that dealing with the memorandum and the telephone calls and it does it in response to the Attorney General's Opinion dated October 14, 1994, where it states, on I believe the second to the last page 6, it says, this office has stated repeatedly over the course of the past two years the Legislature wishes to prevent public disclosure of certain information concerning legislative phone records by the auditor it may do so by adopting statutory penalties for improper disclosure of legally confidential information. In other words, according to the Attorney General, in order to keep the Auditor of Public Accounts from releasing legally confidential information we have to put a penalty provision in. Well, so we did, we did that. We made sure that under the thought that somehow, as it states in the Attorney General's Opinion on page 5, however audit reports and related correspondence may clearly be released to the public by the Auditor of Public Accounts as there is no prohibition against such release under Nebraska law. The implication there is is that if you want to protect those records, when the records are exempt and you want to protect the working papers in relation to the audit that's associated, that they have to undergo, they have to undergo an audit, they have to be checked, the money has to have been spent for that purpose. All that is done according to the standards spelled out through the Auditor's Office, we follow all those rules. Once they get in the form of memoranda, correspondence, working papers, whatever you cannot somehow...

SENATOR BERNARD-STEVENS: One minute.

SENATOR HALL: ...change their composition and say that they now