

recalling that a couple of years ago in this body Senator Preister had a bill dealing with access to electronic information and records and recalling that there was some discussion at that time and that the Legislature had really not done too terribly much with this bill. Things started to kind of raise my curiosity so I point you to page 2 of the booklet on 1375 which gives you the statutory duties and powers of the Library Commission. And let me say that this whole thing arises out of a contract which is shown in that booklet as item number 6 between the Library Commission and the private company called Nebraska(at) Interactive, Inc. And that contract provides that the Library Commission shall make available records of the state to Nebrask(at) Interactive, Inc., a privately held company, and they would be then offered to the public for a fee. And in the case of some of the records, the fee schedule turned out to be different than what this body has approved in the past. And to point to a real simple example of that are the motor vehicle records. This body had set a fee of \$2 for motor vehicle records in the past, it's in the statutes. This body has also defined records held in electronic form to be public records. That is also a law that this body has passed. The contract between the Library Commission and Nebrask(at) Interactive, Inc. and subsequently with the Motor Vehicle Department provided for a sale of those same driver's license records for a fee of \$3 per record which is a 50 percent increase over what this body had approved for the cost of a motor vehicle driving record. And I could go on, that same analogy applies in the Secretary of State's Office and it applies in some other instances as well. The point is...one of the points is that I think that the forum for establishing fees for accessing public records is this body of the Legislature. What we had happen here is a consortium of state agency people took it upon themselves to furnish electronic records for in some cases fees higher than what the Legislature has approved. And we have never had the policy discussion about whether we wanted to make a profit on those records. We have never had a policy discussion on whether we want to share that profit with a private vendor. We've never had a discussion about whether or not we want to make a profit at all or furnish them for what our cost is basically. Public records and access to public records are the cornerstone I believe of our government and the kind of government that we have in these United States and especially in the state of Nebraska. Nebraska is traditionally a very open state. We have public hearings on every bill. We want to be