

sure that the public has an opportunity for input, the public knows what's going on down here. And beneath our noses in the last two and a half years a system of furnishing records for a profit has been devised almost as we have been on this floor speaking. And the more I looked at it, I can tell you the more upset I got. And there's material in this orange handout that makes you think that there were many poor, poor decisions made when this process was developed. I point you to item number 3 in the orange booklet which is a request from Chris Hoy from the Department of Economic Development asking Mike Boyle, their counsel for legal opinion, on whether or not legislation was required to specifically authorize this project as envisioned by the State Library Commission and the Department of Economic Development. Mike Boyle's conclusion on page 3 of that opinion is, yes. While present state law which permits the transfer of authority from one agency to another could be used in this instance, it would be cumbersome in the public policy issue, should be addressed through the legislative process. Yes, an agency can contract with another agency. They do it all the time. But when it comes to entering into an exclusive contract with a private vendor for furnishing public records by electronic means, that is quite another matter and there should be a public policy discussion. There was no good answer to why they ignored that opinion in my view although at the committee hearing Chris Hoy was asked very clearly and repeatedly by the committee chairman why didn't you follow that opinion, and the answer... answer from the Library Commission representative was, well, we should have. And I think Chris Hoy's answer was a little more colorful than that. I think he said, well, I think Mike Boyle's opinion was a personal opinion, not a legal opinion. I can assure you that the state paid for it and I think it was intended to be a very legal opinion and yet it was ignored. I give you this as background because I want this body to have to the extent that time permits a full and complete policy discussion of this issue. This is an issue that is not going to be here and gone. We are moving into an age where all of our communities, especially all of our communities outside of Lincoln, will be wanting to access this information more and more...

SENATOR COORDSEN PRESIDING

SENATOR COORDSEN: One minute.