

its authority. In corporation law they call it ultra vires, meaning you go beyond what you're authorized under the law to do. I think that if we don't do something about this existing contract, we reward rouge agencies and encourage them to do this, and they ought to. They say the Legislature is such a push over, we'll go ahead and do what we want to, give them an accomplished fact, they'll mutter and grumble about it, then say, well, we got to go along with it, and we reward that conduct which is inappropriate and, in my view, illegal. I'm not a fan of the insurance companies, but I think that something was done here that was inappropriate. The statute sets a fee for getting these motor vehicle records at \$2. What the insurance companies had agreed with the Department of Motor Vehicles to do was to pay the \$2, but instead of getting the paper they would get a blank computer tape. And each one of these records that was put on that tape only cost 14 cents. So the DMV was making 86 cents, they were profiting handsomely. Then somebody got the idea about putting this contract together, but they needed a hostage, and the hostage was the insurance companies. They were the ones who were buying these things at a large enough level to insure a profit, if an additional dollar could be added to what it would cost the insurance companies to get it other than in the paper form. So here's what you had, the insurance companies could pay \$2 and get a paper record, or pay the same \$2, give the blank tape and get the same records on the blank tape, there was that arrangement. Then a third element came in. By having this computer access placed exclusively in the hands of this private outfit through the machinations of the Library Commission, brings us to where we are now. People say the insurance companies can still get the paper for \$2, but that which they had bargained for with the DMV no longer is available. So one agreement and arrangement was violated. What I had suggested during our meeting in Senator Withem's office was that we say everybody else who wants these records will pay \$3, if they're going to go through the computer method. But let the insurance companies continue to get it the way they had agreed with DMV. But this outfit needs DMV as the cash cow, or the goose laying the golden egg to make their money. They are the ones where the money will be made. If we let the rouge agency and those who work with the rouge agency benefit from this illegal contract for this period of time, I think the Legislature is terribly irresponsible, I think we should be condemned...