

Amendment 4156 offered by Senator Withem, found on page 1802 of the Journal.

SENATOR COORDSEN: Senator Withem to open on your amendment.

SPEAKER WITHEM: Yes, Mr. President, members of the body, I am doing this partially because I think it's a good amendment, but also because it deals with a portion of the bill that needs to be addressed but it also gives some individuals a little time to discuss some of the more substantive aspects of this bill. If you recall, LB 1375 is a bill brought to us by Senator Bromm, which, and others, which deals with the issue of electronic access to public records and being able to charge for that access. Factually what has happened was that the Library Commission has entered into a contract with a provider. That provider has established certain fees in order to recover the cost of delivering the service and in order to make a profit. There is a question as to whether the Library Commission had the legislative authority to do so. There's a question as to whether that was the right procedure. There's also a concern by some of us, and I'm in this camp of people, that if we're going to correct this situation we do not want to do anything that will negatively impact on the ability of the people to receive data electronically. People around the state are finding that they can now get corporate records accessed electronically in a very short time span where in the past it would have taken maybe a week or longer via letter. Even the one that's been the biggest bone of contention, the driver's license records, there's a company here in Lincoln that doesn't like the change because they have to pay more now to receive those records in a computer-driven fashion, but there's others in the state that find the instantaneous electronic access to be desirable. Those are the issues. What you see debated in this issue are those who are very concerned about the public policy of a state entity entering into a contract without legislative authority, those who are...believe that the Legislature needs to establish a policy around which state agencies will operate if they're going to do this sort of work. On General File we had arrived at what I think many of us thought was an adequate compromise on the measure whereby we created a task force that will create this policy that hopefully will be the mechanism in the future in which we deal with these types of issues. We set up a situation counter to the way that the original 1375 was drafted, which many of us believed would have stopped any growth whatsoever in