

Lincoln. Tracey, would you be recognized please. Thank you. On the Chambers amendment to the amendment, Senator Brown.

SENATOR BROWN: Mr. President, members of the body, I have followed 1375 and the concerns which have led up to it, and I certainly appreciate Senator Bromm's attention to this issue. I have been listening very closely to the debate today, and in regard to what Senator Brashear said, I, personally, do not have any problems with the service that we are being provided in the contract that we have, but I contrast that to the process by which we arrived at that, and I do have grave concerns about that process. When we talked about creativity, I think that the creativity is...should be seen in arriving at a solution to what is perceived as a problem, not creativity in circumventing the appropriate roles of the Legislature. I think that the whole process has been one of the most egregious examples of bureaucracy making decisions which are really policy decisions at a...of a level which should be the prerogative of the Legislature. The bureaucracy has demonstrated either in ignorance or complete disregard of the appropriate roles of elected officials, but what I don't want to see happen is that these valid concerns about the process, and I think that there are very valid concerns about the process, cause us to make reactive decisions. And I am afraid that possibly the adoption of the Chambers amendment is one of those reactive decisions. Electronically accessed material is more usable than material that is on a hard copy, and that might justify an enhanced fee. There is a difference in providing records and providing records in a form that can be easily manipulated, where data can be easily extracted, and the data is in the form that very well may have more value, and we very well may be...it very well may be more appropriate...be appropriate to charge more for data in that form, and that's why I'm concerned about the Chambers amendment because it would preclude us from being able to charge more if it is justified. But I think this is very different from providing access to the general public through some sort of a system that we are...we are getting as a part of our contract, that through our libraries, individuals could go in and access the system very easily, and that this would be done in a manner that was low cost enough that it would be easily available, and I don't believe that we are getting enough from our system in that regard. There is also the issue of whether the state should operate its own system after the contract is terminated, and I think we really have to take some time and look at the