

at least seems to allow some sale of public records; or someone in the Bureau of Vital Statistics selling our birth certificates or whatever those public records might be. Rather than allowing that possibility of, as I say, at best ambiguous language, I think it is better to strike that and leave in the provision for electronic access. If we have...if we have access that's in person looking at the physical papers, I think that's already provided for by statute with the fees that we set. I don't think we should be allowing somebody to actually look at the physical paper copies that we keep in the offices to provide a fee greater than what this body sets. So this would limit it to the electronic access to those public records, would make clear that there is no authority whatsoever to actually sell those records. I suspect it was a...maybe a misdrafting. I don't think that's the intent of Senator Bromm, I doubt it's the intent of those on the other side. With that, I'd urge the adoption of the amendment.

SPEAKER WITHEM: Senator Bromm, on the Lindsay amendment.

SENATOR BROMM: Senator Lindsay, if I could ask a question or two, please. We've not had an opportunity...

SPEAKER WITHEM: Senator Lindsay.

SENATOR LINDSAY: Yes.

SENATOR BROMM: We have not had an opportunity to talk about your amendment, so I am listening to your explanation as I'm reading it and could you just succinctly tell me again what it is you are trying to...or what your problem is with the language as it exists.

SENATOR LINDSAY: The language as it exists says an agency may not, or excuse me, let's go down into Section 4, an agency desiring to enter into a contract to sell public records, and if we take out the set off portion by commas.

SENATOR BROMM: Okay, I'm more concerned about it in Section 3, if we strike that, if we strike that language of selling public records, then are we inferring that it's okay for an agency to go ahead and sell the records for a fee greater than allowed by state law?