

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

February 29, 2000 LB 1317

the provisions that say that you can "opt-out" of disclosing sensitive, personal information and saying that you can't...you can't disclose that,...

SENATOR CROSBY: One minute.

SENATOR BROMM: ...unless there is an "opt-in", a positive statement by the individual saying, yes, it's okay to disclose this information. The exceptions to that are basically law enforcement, driver safety records, those are the big ones, and litigation, order of the court. So with that, I'll yield the rest of my time to the Chair. Thank you.

SENATOR CROSBY: Thank you, Senator Bromm. Discussion on...(visitor introduced.) Thank you for being here. Discussion on the committee amendments? Senator Landis.

SENATOR LANDIS: Thank you, Mr. Speaker...Madam President, members of the Legislature. I'm going to restate what I thought I heard Curt say, and he can correct me if I'm wrong. Curt, this sensitive, personal information, the license holder will have to affirmatively authorize its release before it can be released, except for the exceptions. In other words, an individual will have to "opt in" to allowing personal information to be given out.

SENATOR CROSBY: Senator Bromm, will you yield?

SENATOR BROMM: Yes, and that's correct, Senator Landis.

SENATOR LANDIS: Okay, thank you. The reason I want to point this moment out, on as quiet a day as it is, this is the essential fulcrum in privacy issues that's going to be facing us in a wide variety of settings. And I happen to applaud this particular choice. The choice is, do you opt into a program affirmatively, or must you opt out? And let me tell you where we're going to wind up being asked to use the "opt-out" proposal. And that's when the federal government gives us authority in the area of financial institutions, such as, will your credit card be free to send your name to other people? Will your bank be free to send your name, your spending habits, your address, your telephone number to other people? Will your