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LB 628

SENATOR BRASHEAR: Thank you. Mr. President, members of the body, following the advancement of LB 628 to General File, additional meetings and discussions between all of the interested parties have taken place and have resulted in AM2492, which is now before you. Should this amendment be adopted, then the different groups that have had expressed concerns with regard to provisions of the bill will withdraw their opposition. Specifically, I would like you to note that that includes the League of Nebraska Municipalities, the Nebraska Association of County Officials, and the Governor's Policy Research Office, all of whom have reviewed this amendment and have approved of it, and have indicated that any opposition expressed is not being led by or sanctioned by or sponsored by them. AM2492 contains the following provisions. It clarifies the provisions relating to providing copies of public records to a citizen. Specifically, it provides that when a citizen seeks to obtain copies using their own copying equipment, then that copying must take place on the premises of the custodian or at a location mutually agreed upon by the requester and the custodian. Further, it provides that copies by the custodian need only be provided when the custodian has copying equipment reasonably available to the custodian of the records. Copies may be obtained in any form requested by the requester in which the public record is maintained or produced by the custodian but not, therefore, in any other form, and except as otherwise provided by statute, the custodian may charge a fee for providing copies, which fee shall not exceed the actual cost of making the copies available. The fee shall not include the cost of salaries of public employees. My understanding is that the Honorable Senator Coordsen will offer an amendment that all parties have further agreed to which will make some appropriate and necessary adjustments to this particular provision. The amendment clarifies that the custodian need not produce or generate any public record in a new or different form or new or different format modified from that of the original public record. The amendment also clarifies the provision relating to response time of the custodian and further tightens it. Senator Schimek gave you the first provisions. We further tighten that by saying that upon receipt of request, the custodian must respond as soon as practicable but not more than three business days in one of three ways. So there are options. One, grant