

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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LB 628

the request for access or copies; two, provide a written denial, if there is a legal basis for that denial, or provide a written explanation that the request cannot be fulfilled within three business days with reasonable good faith due to the significant difficulty or extensiveness of the request, together with the earliest practicable date for fulfilling the request, an estimate of the expected cost and an opportunity for the requester to modify or prioritize the request. The amendment further provides for an opportunity to request the Attorney General to review a matter and determine whether the custodian is complying with the requirements of the act. This procedure is not new. It is already in place for a determination of the right to access public records, but the amendment will also make that procedure relate to issues regarding copies and response time and the compliance thereof. So with that, I would urge the adoption of the amendment and the advancement of the bill. Thank you.

PRESIDENT MAURSTAD: Thank you, Senator Brashear. (Visitors introduced.) For debate on the Brashear amendment to the committee amendment to LB 628, Senator Chambers.

SENATOR CHAMBERS: Mr. President, members of the Legislature, these amendments may not do a large number of different things but the one that Senator Brashear presented is extensive. I haven't had a chance to examine it but I'm trusting him to be as forthcoming in this case as he always is. But I would let him know that if this bill does move that I'm going to have additional time to look at this and there may be parts of it that I don't agree with, but I do have a question right now. The portion of the amendment that talks about the individual who wants these copies, if you look at...well, I'm looking in the Journal, and the language is "copies using their own copying or photocopying equipment in accordance with subsection (2) of this section." What that language refers to is the person making the request for the records having to use his or her own photocopying equipment. Can you tell me practically how that is going to work and what the circumstances are which would call this provision into play?

PRESIDENT MAURSTAD: Senator Brashear, would you yield?