

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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LB 628

that I could have it and know for sure. My sheriff, where I live, and some of the county officials, the county...the clerk of the district court, not clerk of the district court, the register of deeds and the county...the election commissioner have tried to tell me not to vote for this bill because they are afraid that someone will come into their office and ask to take their records out and copy them, or use copying machines in there, bring them down and copy them some way in some format. And they don't like the idea of people messing up their files. The register of deeds has old, fragile records, and if they take them apart and aren't too careful how they put them back together again it could destroy some very, very old records. And I wondered how you could respond to that? You probably have all morning, but I'm...I've been in and out of the building.

SENATOR BRASHEAR: Senator Robak, I understand the concern. I believe we've addressed it, and I think your response to your concerned officials should be that it's wholly within their control. There can be no removal of the records to another location without mutual agreement between the custodian of the records, which would be your elected officials, and the requester. There's no mutual agreement if they don't agree. Now they...theoretically, if they're really being obstinate and difficult, they subject themselves to having someone make a request of the Attorney General as to whether or not they are in compliance. But it's not an out of control situation; they are very much an equal participant in the process of deciding upon an alternative location.

SENATOR ROBAK: Okay. I'm trying to look at this letter real, real quickly here. I apologize. Will the public have the right to bring copy equipment into the office?

SENATOR BRASHEAR: Only by a prior arrangement and when it suits their purpose.

SENATOR ROBAK: Who is "their"?

SENATOR BRASHEAR: I'm sorry, the public's or the requester's purpose.

SENATOR ROBAK: Okay.