

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

March 22, 2000 LB 628

little fault to be found in the instance as you've identified to it, 11,000 pages and several missed pages. Now that, obviously, has to exclude if the pages were intentionally missed because they were the most critical portion of the 11,000 page record being sought.

SENATOR MATZKE: Thank you, Senator Brashear. I have another question on the question of liability. We do not know the...or I do not know the source of this request. We have...the county official does not know, does not have any indication as to how these records are to be used. What would her liability be if the concern in Texas used this information for fraud, such as attempting to identify older people who have property, or if they use this information for an invasion of privacy of property owners in our county? Is there...is this issue at all addressed in this bill?

SENATOR BRASHEAR: Liability is not addressed, Senator Matzke, and, therefore, the first answer to the question I believe would be that liability is not changed from whatever it is now. Secondly, there is nothing in the bill, I would amplify and say there is nothing in the bill that requires the county treasurer to determine the purpose for which a legitimate request for public records is being sought. Public records are, in fact, public records and it's one of the principles we believe in, in the operation of this open government of ours, that they are public and they are available and people can request them and use them for their own purposes.

SENATOR MATZKE: Thank you very much.

SENATOR CUDABACK: Thank you, Senator Matzke. Senator Vrtiska.

SENATOR VRTISKA: Yes, thank you, Senator Cudaback. A question for Senator Brashear.

SENATOR CUDABACK: Would you yield, Senator Brashear?

SENATOR BRASHEAR: Yes, Senator Cudaback.

SENATOR VRTISKA: Senator Brashear, the only part that I had...wanted some information on, when you talk about the actual