

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

January 25, 2005 LB 3

General's Office that various state senators are receiving requests for information on Initiative 300, the anti-corporate-farming law cited as Article XII, Section 8, of the Nebraska Constitution. There are currently two lawsuits on file with the United States District Court for the District of Nebraska challenging the constitutionality of Initiative 300. These cases include...then it gives the names of the cases. As there is ongoing litigation regarding Initiative 300, it is essential that any information requests received by your office be forwarded to the Attorney General's Office for review. If you have any questions regarding the above, please contact the undersigned. Sincerely, Jon Bruning, Attorney General; David D. Cookson, Justin D. Lavene, Assistant Attorneys General. I don't know if this is a letter saying that if a senator wants some assistance in responding, or if it's a directive to turn information over to the Attorney General's Office. As the elder member of the Legislature, sometimes I feel a responsibility to make comments about things for clarifying purposes. In the Nebraska statutes, at Section 84-712.05 subdivision (11), there is a provision that, when it comes to the correspondence and memoranda of legislators, that is withheld by you, and you release it based on how you feel about releasing it, but nobody can make you release any of that information. So if any of you receive any letters, you have any memoranda in connection with what is going on in your office and the duties you discharge, from whomever the letters come, whoever originated the memoranda, those are not accessible to anybody unless you choose to release them. So if there are any of you who receive this type of information requests, you can give it to the Attorney General, if you want to, but you don't have to. Thank you, Mr. President. I just wanted to make that clear for the record.

SENATOR CUDABACK: Thank you, Senator Chambers. We're open for discussion on advancement of LB 3. Further lights. Senator Louden.

SENATOR LOUDEN: Thank you, Senator Cudaback and members of the Legislature. I think LB 3, this is something that we're trying to incorporate in some of our private enterprises for farmers and ranchers that want to do ag-related tourism, and this is continuing about the question of who's liable and where the