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

February 8, 2005 LB 11

it got there. You send in the e-mail to the electronic postmark of the U.S. Postal Service. The sender receives a message back from the Post Office that says, we got your message, we got your order. Then the Post Office sends back a second e-mail that says, we sent on to the e-mail address you gave us the message that you sent us, and we sent it in pristine form. It is what you said it was; it has not been altered. Then, when the receiver of the message opens their e-mail and takes that...you know, that record, or opens up that record, the Post Office is aware of that fact, and they send you back another e-mail that says, ah, the receiver has opened the message. If the receiver of the message doesn't get it and it fails in the transmission, the Post Office sends back another e-mail that says, the receiver did not receive and the message has failed. sender knows all of these things, because of these bouncing e-mails that go back and forth between the sender of the message and the United States Post Office and the eventual receiver of the message. This bill says that if both parties agree to use this mechanism, if the eventual receiver of the message and the sender of the message agree, that they may use this electronic postmark for the mail of the state, and that in sending out a record under this format, that this method would allow us to verify that a record of the state, of the agency, is true and In other words, that what is being sent out is the state record. To do that, we're going to have to have rule- and reg-making authority by the Secretary of State, to make sure some observable method to have establish we consent--perhaps e-mail, perhaps some kind of a record of a phone call, some kind of a letter that would establish that consent on both parties was received. In addition to the verification of the record, this will, again, with both parties' consent, serve as an in-lieu use by the state agency of certified mail or certified mail with return receipt requested, because, of course, you get back the message that the receiver has in fact received the e-mail. So if it's okay with both parties, they both consent, we can use this method for either the sending of a verified state record; or, we can use it as an in lieu of a certified standard of mailing between the state agency and another individual. The university is...wants to make use of this, because they are requested by hundreds and hundreds of people to send out transcripts -- people who are