

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

March 29, 2006 LB 940

than the security issues of the state of Nebraska as regards to the federal government and potentially releasing federal government records? Those are the concerns that I have. And I think it's only fair and logical that we would apply the same penalties under that scenario, and those are not currently in here. One of the things that I would like to have Senator Schimek comment on, and hopefully she can do this on her closing on this amendment, we're talking about codifying existing practice. In existing practice, there is no agency. And I want to make sure, Senator Schimek, when you close on this, that you clarify, because in our back-and-forth you used the term "agency" in regarding...in relation to this new office. And so I hope that you can clarify for the record that our intent is not to create an agency. It is not intended to create an agency either with this bill or into the future unless there is an overwhelming opinion and evidence that that is something that should be done. And I think that's what the Appropriations Committee is concerned about is creating a scenario where we have funding, and then all of a sudden someone needs to create the government for that funding and we need to make sure that we have that. So I hope you'll address that in your closing to make sure that our record is clear that that's not your intent, but that it was alluded to. And so just for the sake of clarity I hope you'll do that. Finally, let me say this, members. We are all sworn to uphold the constitution, and we have certain duties as elected officials to make sure that we behave and govern in a certain way in regards to the laws of the state of Nebraska. Now Senator Chambers has made repeated speeches that members of the Legislature could be elected if they were a mule skinner if the people from back home sent them down here. And I'm not saying that any of us are. But the reality that you begin to bring in nonsecurity personnel into this process also has to give us a chance to step back and pause and to consider what protections should be put in place in regards to the information. Visiting with others, there's some questions about the open meetings act issues that I've referred to. But I don't have a problem with the idea of going forward with something that's logical, that does not create an agency, that does not put the money into bureaucracy, but rather allows better coordination. I have no problem with that, which is what we're currently doing. The question is when we put this in statute,