

support the Hoagland amendment, or the Hoagland motion, and while I would continue to be openminded about what the appropriate terms of this bill should be, I am firm in the belief that privacy and confidentiality is a legitimate public interest, a countervailing balance that should be weighed in the consideration of what should or should not be an open record and that in the case of correspondence that that countervailing balance is too great on behalf of the constituent's confidentiality to open up our letters to public scrutiny without our consent or the consent of the writer of those letters. I oppose the Hoagland motion.

SPEAKER NICHOL: Senator Lamb, did you wish to speak to the kill motion? You had your light on.

SENATOR LAMB: Yes. Mr. President and members of the Legislature, I rise to oppose the kill motion and to support the bill. Senator Johnson did an excellent job of explaining the reason the bill is necessary. This situation arose during the last interim period and I think we should also point out that the total number of dollars for telephone calls has never been held secret. In other words, if anyone wants to go down to the accounting office and find out how much a certain senator has spent for telephone calls, that information has always been supplied. However, we have never released the computer printouts which contain the telephone numbers that the senators called, and both Senator Landis and Senator Johnson explained why we believe that should not be done. There is a certain amount of confidentiality which should exist between you as a legislator and your constituent. If I would be able to go down to your office and find the telephone numbers that you called yesterday, and call those people and hassle them about whatever they were talking to you about, I don't think they would like it, I don't think you would like it. I think it would be an intrusion into the legislative process which is not justified. Now the one problem in all this, and Senator Johnson referred to it, is how does the press or the public determine whether or not I am using my telephone calls for my own personal business?

SPEAKER NICHOL: One minute.

SENATOR LAMB: And that is a real problem, and I recognize that there may be some necessity to establish some sort of mechanism so that could be monitored. I am not sure what that could be. It could be possibly that under certain circumstances the Political Accountability Commission would have the right to look at those records to determine if there had been misuse. That is just a possible suggestion.