

declaration that those items should be excluded from open meetings record, or the Open Records Law, rather, that it seems to me an essential principle and it is one that is lost in the editorial comment on this bill, and the news coverage on this bill, and in most cases on the discussion on the floor of this bill. We all seem to be faceting only on the telephone records issue. To me, I find the most difficult, the most important value that we are defending here is in written correspondence, a level of privacy which I think every citizen expects and would feel terribly threatened if they thought that they lost it. It is a level of privacy we extend to individuals in the Penitentiary, but which apparently would be forced on us to require to ask for. That is not a standard that I can accept. I have to start in my discussion on LB 565 with a firm acknowledgement by all parties that correspondence that I receive and correspondence that I mail is the private business between myself and my correspondent and can be released only on the agreement of one of those two parties, and any language that does not recognize that principle, as Senator Warner's does not, is not acceptable to me.

PRESIDENT: Senator Hoagland.

SENATOR HOAGLAND: Mr. President and colleagues, I rise to support Senator Warner's amendment. In my opinion, it doesn't go nearly far enough. I agree with Senator Landis. I think a good case can be made for protecting the confidentiality of memoranda and correspondence...I think Senator Johnson has made that point, because I don't think memoranda and correspondence can be misused the way a WATTS telephone line can. But I don't think that we should pass this bill in its current form, which as I see it is really a smoke screen. I think these privacy issues are really a smoke screen for simply allowing us... giving us carte blanche protection from turning over any of our phone records. Now I think the very least we should do is what Senator Warner suggests, and that is require any legislator who wants this kind of carte blanche protection to step forward and specifically request it. Now I have an amendment following which I think is more desirable even than Senator Warner's amendment, which would allow the Executive Board to designate up to six telephones, the records of which will be protected as long as they are not phones in any senator's office. So if a legislator genuinely has a communication or a phone call that must be kept confidential, he could go use one of those six telephones, and the ones I think of that come to mind first, of course, are the phones up here on the floor. I think that is a more reasonable solution. I also have before me