

SENATOR HALL: Senator Bromm, would you respond.

SENATOR CHAMBERS: Senator Bromm, you stated that you have questions as to whether or not if Senator Bernard-Stevens' amendment were adopted, it would be binding on the Attorney General. On what do you base that doubt? If we enact a statute which says that information passing between public officials is public information, what makes you feel that the Attorney General can disregard that, that statutory enactment?

SENATOR BRMM: Senator Chambers, in 1992, and you might be amused at this, but there was an Attorney General's Opinion which was requested and given, and I've got a copy here which I'll be happy to share with you, but the question was the authority of the Attorney General to discuss the state's legal business with members of the Legislature and the media and so forth. It went to the, whether or not the state could prohibit the Attorney General from engaging in those discussions or information sharing and that kind of thing. The opinion said that basically that the Legislature could not, and it relied upon to some extent some information from a constitutional expert, I think a constitutional expert by the name of Dave Frohmyer, and I'll share that with you, but as I read that opinion it occurred to me maybe this wouldn't be binding on him if you believe that opinion.

SENATOR CHAMBERS: Thank you, Senator Bromm. At least I know what your basis is for saying that. That would be, in my opinion, entirely separate from what we're talking about and I don't have a lot of regard for the scholarship of opinions that come from the Attorney General's Office because everything there is so highly politicized. I won't ask for an opinion from them on anything. I won't even ask what time it is, so anything coming from that office to my mind is totally worthless as a legal document, especially when the Nebraska Supreme Court has told the Attorney General, chastised him very harshly about asking the court to do not only something which is useless, but something which actually is illegal. So I don't have much respect for that. If this amendment that Senator Bernard-Stevens is offering were to be added to this bill, it would be binding on the Attorney General. We're not talking about a case pending before the courts. This is just a general policy statement being made by the Legislature. And if there are groups which say that this legislation is needed because it will stop the peace...oh, I see Senator Dierks smiling. I want