

**NEBRASKA STATE RECORDS BOARD
MEETING: February 24, 2004**

Nebraska State Capitol
Room 1507
Lincoln, NE
February 24, 2004
11:00 A.M.

NEBRASKA STATE RECORDS BOARD
AGENDA
Room 1507 State Capitol
February 24, 2004 - 11:00 A.M.

1. Call to Order, Roll Call
2. Approval of Agenda
3. Notice of Hearing (02/17/04 Lincoln Journal Star)
4. Approval of Minutes from January 13, 2004 meeting
5. Justice Project
 Review Agreement with the Nebraska Supreme Court for possible
 amendment
6. Adjournment

NOTICE OF PUBLIC MEETING

Notice is hereby given of a public meeting of the Nebraska State Records Board on Tuesday, February 24, 2004, at 11:00 AM in Room 1507 of the State Capitol, Lincoln, Nebraska. The agenda will include consideration for approval of a proposed amendment to an agreement establishing a fee based service for electronic access to court case information through the Nebrask@ Online Network. The agenda for the meeting is available at the office of Secretary of State for public inspection during regular business hours.
#2650321-11-Feb. 17

LINCOLN JOURNAL STAR

2/17/04



NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of January 13, 2004

The meeting was called to order by Chairman John Gale at 9:30 A.M. on January 13, 2004, in Room 1507 of the State Capitol, Lincoln, Nebraska.

The following Board members were present:

John Gale, Chairman;
William Bidrowski;
Jerry Catlett;
Sarah Kohlhof;
Laureen Riedesel;
Steve Schafer, representing the Director of Administrative Services.

Not present were:

Holly Bolen, representing the Attorney General;
David Buelt;
Lauren Hill, representing the Governor;
Ron Ross;
Diane Vicars;
Kate Witek.

Chairman Gale announced that notice of the meeting had been published in the Lincoln Journal Star on January 8, 2004, and posted on the public meetings website.

Mr. Catlett moved to approve the agenda as circulated; motion seconded by Mr. Bidrowski.

Voting For:	Bidrowski Riedesel	Catlett Schafer	Gale	Kohlhof
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Voting Against:	None
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Absent:	Bolen Vicars	Buelt Witek	Hill	Ross
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The motion carried.

Mr. Schafer moved to approve the minutes of the meeting of October 15, 2003; motion seconded by Ms. Kohlhof.

Voting For:	Bidrowski Riedesel	Catlett Schafer	Gale	Kohlhof
Voting Against:	None			
Absent:	Bolen Vicars	Buelt Witek	Hill	Ross

The motion carried.

William Ptacek, Director of Records Management, reported on the Records Management Cash Fund - State Records Board balance.

Greg Lemon, Chief Deputy Secretary of State, commented on the Grant Project Status Report. Mr. Schafer explained the completion dates for the CIO projects.

Kate Witek and Lauren Hill arrived at the meeting.

Chairman Gale announced that the final request from the State Fire Marshal regarding fees for electronic access to public records had not yet been received. Mr. Bidrowski moved that this agenda item be tabled; motion seconded by Mr. Schafer.

Voting For:	Bidrowski Kohlhof	Catlett Riedesel	Gale Schafer	Hill Witek
Voting Against:	None			
Absent:	Bolen	Buelt	Ross	Vicars

The motion carried.

Chairman Gale opened the public hearing on a proposal from the State Electrical Division to allow electronic access to permit filings. Ted Stutheit, Executive Director of the division, testified in favor of these fees. No other testimony appearing, Chairman Gale closed the public hearing. Mr. Schafer moved to approve the fees as proposed; motion seconded by Ms. Hill.

Voting For:	Bidrowski Kohlhof	Catlett Riedesel	Gale Schafer	Hill Witek
Voting Against:	None			
Absent:	Bolen	Buelt	Ross	Vicars

The motion carried.

Chairman Gale opened discussion of a proposed addendum from the Supreme Court to change fees for online access to district and county court information via the JUSTICE system. Greg Lemon, Frank Goodroe, State Court Administrator, and John Cariotto, Associate State Court Administrator, commented on this proposal.

Holly Bolen arrived at the meeting.

After discussion, Ms. Hill moved to table the Supreme Court proposal until a subsequent special meeting; motion seconded by Ms. Riedesel.

Voting For:	Bidrowski Hill Witek	Bolen Kohlhof	Catlett Riedesel	Gale Schafer
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Voting Against:	None
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Absent:	Buelt	Ross	Vicars
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The motion carried.

Rod Armstrong, Nebrask@ Online General Manager, presented the Project Priority List. Ms. Witek moved to approve the Project Priority List; motion seconded by Mr. Catlett.

Voting For:	Bidrowski Hill Witek	Bolen Kohlhof	Catlett Riedesel	Gale Schafer
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Voting Against:	None
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Absent:	Buelt	Ross	Vicars
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The motion carried.

After a short recess, Chairman Gale opened discussion of the report of the RFP SCA-0261 Contract Subcommittee (Contract for Network Manager Services). Greg Lemon reviewed the recommendation from the subcommittee to award the contract to Nebraska Interactive, Inc. After discussion, Ms. Witek moved to recommend to the Materiel Division that contract SCA-0261 be awarded to Nebraska Interactive, Inc; motion seconded by Ms. Kohlhof.

Voting For:	Bidrowski Hill Witek	Bolen Kohlhof	Catlett Riedesel	Gale Schafer
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Voting Against:	None
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Absent:	Buelt	Ross	Vicars
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The motion carried.

Chairman Gale appointed Greg Lemon, Steve Schafer, and Keith Dey, Department of Motor Vehicles, to the subcommittee on contract implementation.

Greg Lemon announced that the legislature had given the State Records Board authority to make grants to local government agencies. By consensus, Greg Lemon was directed to draft policies for making such grants for consideration at the next regular Board meeting. Chairman Gale appointed Mr. Schafer, Mr. Catlett, and Mr. Lemon as the subcommittee to draft these policies.

No other business appearing before the Board, Ms. Witek moved that the meeting be adjourned; motion seconded by Mr. Schafer.

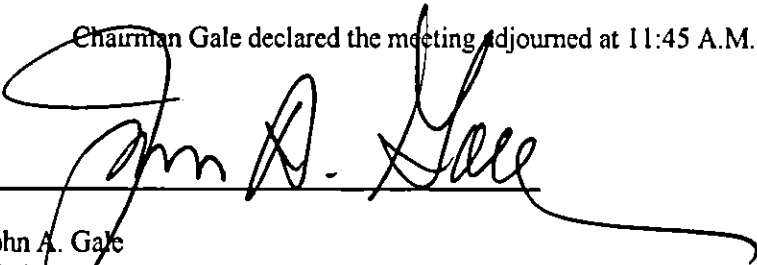
Voting For:	Bidrowski	Bolen	Catlett	Gale
	Hill	Kohlhof	Riedesel	Schafer
	Witek			

Voting Against: None

Absent: Buelt Ross Vicars

The motion carried.

Chairman Gale declared the meeting adjourned at 11:45 A.M.



John A. Gale
Chairman
State Records Board

**Addendum Three
to the
Interagency Agreement Between
Nebraska Supreme Court
and
Nebraska State Records Board**

This Addendum Three to the Interagency Agreement between the Nebraska Supreme Court (NSC) and the Nebraska State Records Board (NSRB) sets forth certain services provided by Nebrask@ Online (NOL, operated under the auspices and authority of the NSRB), the price (P) to be charged for such NOL services, and how the revenue from such NOL services is to be divided between NSC (R/NSC) and NOL (R/NOL).

All revenue received pursuant to this addendum shall be deposited by the NOL network manager into the State Records Board Cash Fund pursuant to the provisions of the contract between NSRB and Nebraska Interactive, Inc. and any addenda thereto, and distributed back to NOL and NSC as provided below.

Data Records to be Accessed: District and County Court Records (JUSTICE)

	P	R/NSC	R/NOL
Monthly Price for Unlimited Access to End-Users of Records	\$300	\$50	\$250
Price per Record	\$0.60	\$0.10	\$0.50

Unlimited access will be made available at no charge to the following groups:

*Employees of the state, district, county and juvenile courts in Nebraska
Nebraska state and local law enforcement agencies
Nebraska state agencies using the information in the normal course of business
Nebraska county and city attorneys
Nebraska public defenders
Nebraska jail personnel
Authorized users of the Nebraska Criminal Justice Information System (NCJIS)*

Date _____
Frank Goodroe, Court Administrator
Nebraska Supreme Court

Date _____
John Gale, Chairman
Nebraska State Records Board

Addendum One
Nebrask@ Online Customer Service Agreement
Alternate Pricing Agreement
County and District Court Records (JUSTICE)

Any Nebrask@ Online Monthly Account holder may choose to access County and District Court Records ("Records") - known as the JUSTICE system - through a "subscription" by payment of \$300 per month for retrieval of an unlimited (based on typical user) number of Records during that month. Monthly Account holder agrees that use of these Records will be made only by Monthly Account holder and his/her/its employees and associates; and further agrees that the information from Records and access to the Monthly Account from which they are accessed will not be re-sold to others, at any time, including any period following termination of this agreement should it occur. Nebrask@ Online reserves the right to terminate access for any Monthly Account whose number of Records accessed is sufficiently disproportionate or large enough as to indicate that the account is being used for secondary business purposes and not for the monthly account holder's own use.

All terms and conditions of the Nebrask@ Online Customer Service Agreement apply to this addendum. Payment by Monthly Account holder of the fee pursuant to this addendum will be made as specified in the Nebrask@ Online Customer Service Agreement. Signed addenda received prior to the 15th of any calendar month will be made retroactive to the first day of that month. Signed addenda received after the 15th of any calendar month will be made effective the 1st day of the following month.

Any Monthly Account holder choosing the monthly rate for unlimited Records under this addendum may transfer their account to per-transaction billing effective January 1st or July 1st of any calendar year. Notice to transfer must be received by Nebrask@ Online no later than June 15th for transfers effective July 1st and by December 15th for transfers effective January 1st of the following year.

Subscriber Signature

Subscriber Name (Printed)

Organization

Date

**Notice to Cancel Monthly Pricing Agreement
For
County and District Court Records (JUSTICE)**

Organization Name: _____

Account Contact: _____ Account Number: _____

Phone: _____ FAX: _____

Please accept this notice to cancel the \$300 per month retrieval fee for unlimited access to County and District Court Records - known as the JUSTICE system.

Please transfer this account to per-transaction billing effective:

_____ January 1, 200__ OR

_____ July 1, 200__

Notice to transfer must be received by Nebrask@ Online no later than June 15th for transfers effective July 1st and by December 15th for transfers effective January 1st of the following year.

Subscriber Signature

Subscriber Name (Printed)

Date

<p>For Office Use Only</p> <p>Date Received & Processed by NOL: _____</p> <p>Faxed copy to Subscriber: _____</p>



Proposed Procedures for JUSTICE Alternate Pricing

1. Any Nebrask@ Online subscriber may choose the alternative monthly flat rate pricing, provided they sign an addendum specifying terms and conditions, including the requirement that records obtained under these terms may not be re-sold. This prohibition remains in effect for records obtained under the monthly flat rate should the subscriber choose to return to per-transaction pricing or cancel their subscription.
2. A subscriber may switch from per-transaction to flat monthly pricing at any time by submitting a signed addendum to their subscriber agreement. A signed addendum must be submitted to NOL for each instance of switching from per-transaction to flat monthly pricing. If the addendum is received prior to the 15th of the month, the flat monthly pricing will be made retroactive to the 1st day of that month. If the addendum is received after the 15th of the month, the flat monthly pricing will be made effective the 1st day of the following month.
3. A subscriber may switch from flat monthly to per-transaction pricing effective January 1st or July 1st of any year. Notice of intent to make this switch (NOL will provide a standard form) must be received by June 15th for changes to be made effective July 1st, and by December 15th for changes to be made effective January 1st.