

1 language such as proposed here.

2 As I have said earlier, the records have been
3 held -- the word "records" has been held to mean the more
4 finalized public records, so the notes between the Governor
5 and his aide are certainly not within the usual sense
6 records.

7 Again, we do now have a common-law right to
8 records. The aspect of prior notice will be something
9 that, of course, the court will have to interpret. By this
10 we mean reasonable notice. I would certainly think two
11 hours' notice as the Arkansas approach is, would certainly
12 be appropriate notice.

13 The enforcement of this would only be by way of
14 injunction or mandamus, and it would be only to open the
15 meeting or to make the records available. That is essentially
16 what this provision says, it changes the burden from the
17 citizen to prove he has the right to these records and to
18 attend these meetings, and to have notice of these meetings,
19 and for the state to show he does not have that right.

20 If there are any questions, I will be glad to
21 answer them.