

because there has been a legal issue raised in that regard, I suppose that we should look at language to ensure that and I'd be happy to do that.

SENATOR BERNARD-STEVENS: Yeah, I guess I would raise kind of a caution on agreeing to this amendment to the amendment at this time. I'm not saying that we shouldn't agree to it at some time before the session is over. I'm saying I caution the body as to going with this amendment now. We have in state law now, or statute now that the Historical Society is, in fact, a part of state-owned property. And they are saying, in fact, or state agency, excuse me, and they are arguing that they are not a state agency because they do not then have to apply to certain rules and regulations. If, on the one hand, the Historical Society would then say that they agree with this amendment, Senator Ashford, and that this would be state property, that would totally undermine the position that they're taking at this time. I mean, I don't think they can argue on the one hand that they're not a state agency, therefore, land, this, certain things are not state property governed by the state and at the same time say, but on the other hand we're going to count that as state property. I mean, you either have it all one way or it's not, and I really think it would behoove the Legislature to look a little bit closer at this amendment and maybe waiting just a little bit at some point till we get some further feeling about what the courts are going to say on this particular matter. I understand...if I understand the amendment right, it simply transfers to the Historical Society and I understand Senator Ashford would like to get that done, but I'm not so sure if we keep it in the Game and Parks temporarily until we find a reasonable solution to the Historical Society's quandary at this point, they seem to be somewhat confused as I read an article about the Appropriations Committee hearing that would be a little bit better for the Legislature to hold off on declaring it's state property and getting into this issue until we have a little clearer understanding and then at some other time we can certainly make it a part of the Historical Society when that is cleared up more. And I'm not sure this is the time for the Legislature to be getting into that particular issue. Thank you, Mr. President.

SENATOR HANNIBAL: Thank you. Senator Smith, please, followed by Senator Warner, Abboud, Pirsch and Wesely.

SENATOR SMITH: Thank you, Mr. President. I think that