

testified, testified in favor of a committee amendment that completely gutted the bill. Now you have on your desk a letter from a Mr. Jack Strain. Now, Mr. Strain, I can say, probably would have been at the hearing had he known that the entire testimony was going to be on Joslyn Castle and making it a state park. So in one way the public was not notified as to the true extent of this public hearing. That kind of sets the scene for what I'm trying to do. Now some of the testimony on LB 164 by one of the senators, he said, "The people of the State of Omaha...of the State of Omaha need to know more about the parks system." So that also sets the scene as to just exactly what happened at this hearing. You also have a handout that states, this is from the Appropriations Committee's material, "None of the state funds appropriated in this section shall be used for Varner Hall, formerly Regents Hall, since it is not owned by the state." Joslyn Castle is not owned by the State of Nebraska. It's owned by the School Board of Omaha. If you will notice at the top of the sheet, it says, "There is included in the appropriation to this program \$50,000 General Funds for facility maintenance and planning activities related to the Joslyn Castle." We cannot, according to the Constitution, use state funds for a privately owned entity and that's what this is. It's a privately owned entity. The statute also says that you cannot have a state park in an urban area. That was the intent of the Legislature when they passed the statute. So what this does, it takes 5.6 acres and turns it into a state park. Now what they're saying is we want \$50,000 to do what? To stop the building from deteriorating more? No, it says for maintenance. Well, how can you spend tax dollars for maintenance for something the state doesn't own? That is unconstitutional. And then it says, planning activities related to Joslyn Castle. What are planning activities? So what this amendment does, it removes from LB 813 the \$50,000 that is to go for facility maintenance and planning activities related to Joslyn Castle.

SPEAKER BARRETT: Thank you. Discussion? Senator Ashford, followed by Senator Crosby.

SENATOR ASHFORD: Thank you, Mr. Speaker, and members, I appreciate the opportunity to clarify the record on the issue of Joslyn Castle. LB 164 was a bill originally brought to the Legislature to discuss the issue of historic preservation. At the time of the hearing or prior to the hearing before the Government Committee, the bill was changed or the direction of the bill was changed to provide for some enabling legislation to