

it's just one of those small pieces of Americana that we can keep and hold on for future generations to enjoy. Urge the body to accept the amendment and move LB 164 on to Select File. Thank you.

SENATOR HANNIBAL: Thank you, Senator Abboud. Senator Baack, please, followed by Senator Bernard-Stevens, Senator Smith and Senator Warner.

SENATOR BAACK: Yes, Mr. Chairman and colleagues, I rise in support of this amendment to the amendment, but I do have a question for Senator Ashford. I know that in the amendment you say that the State Historical Society is going to acquire without cost to the state and then give clear title to the State of Nebraska. In light of a letter that I saw just last Friday I think where the Historical Society is going to court and asking whether or not they are a state agency and who owns their property since they are the State Historical Society and one of the things that they are asserting is, is that the State of Nebraska does not own the artifacts and the items that belong to the Historical Society. In fact, the Historical Society owns those, not the State of Nebraska. So can the State Historical Society do that? Can they acquire title and is it ours? Would we be assured that it would be ours if they do?

SENATOR ASHFORD: I don't know. I think the answer is that they do now own properties as you suggest, but I think that if that is a concern, Senator Baack, we might need to put some language in there to make absolutely certain that the ownership is in the society as an agent for the State of Nebraska to make absolutely clear that their agency argument, I think that's what their argument is, is that it is a society independent, and I think what they're saying is that it's independent and somewhat...but conjunctive to the state, whatever that means, that we could make it clear on Select File that the society is acting as an agent or custodian on behalf of the State of Nebraska. And I'd have no problem with that amendment going on.

SENATOR BAACK: Well, Senator Ashford, one thing I might ask you to do then before we get to Select File is to look at properties that the Historical Society already owns. Are those properties...do those properties have clear title to the state? Does the state have clear title to those or does the Historical Society have title to those? You might...