

that that's the place of these people that the Historical Society brings in. I don't think that it should be up to him to talk about the politics of the issues that we have decided, as a Legislature, and we have set down into statute that basis and I don't think these people ought to be brought in and ought to be politically and publicly criticizing what we did as a Legislature when they're being brought in here with those dollars and we are expending dollars for the implementation of that program and then to come in and criticize that program. That's the only concern that I have with those. Thank you, Mr. Speaker.

SPEAKER BARRETT: Senator Schimek, please.

SENATOR SCHIMEK: Mr. President and members of the body, I have just been visiting with Senator Warner just to clarify what he mentioned as probably the basis of the lawsuit and I just wanted to make sure that my understanding was right. I think what is involved is the access to the public rec...or to the records, whether those records are public or not, and it's my understanding that that may have something to do with whether they are a state agency or not, but I'm not sure about that part of it. I guess the reason that I signed on to this and, in fact, thought about a similar amendment myself was because I thought we at least ought to get the attention of the State Historical Society. I'm afraid they are putting themselves in an untenable situation and Senator Baack has already alluded to that, that if indeed the courts declare, as the Attorney General has already declared, that they are a state agency and then possibly they are going to have to comply with the demands of the Indians. On the other hand, if the courts say they're not a state agency, then, in my mind, that leaves a lot of questions about where they're going to get their funding and perhaps, perhaps it is time that we consider rejuvenating LB 151 and bringing it out here on the floor and talking about whether they should be a state agency or not. I recognize the contributions of the many individuals who, over the years, have put in a lot of hard work, a lot of time, a lot of expertise, a lot of financial support to the State Historical Society. But it is, after all, the history of the State of Nebraska that we are talking about here and I have always wondered if there shouldn't be more involvement by the state in that process than just simply giving money. The people who are in the State Historical Society's employment, I believe, are state employees and I have always wondered how you could argue that they are not a state