

system of laws into contemptible action.

SPEAKER BARRETT: Thank you. Senator Baack. Senator Warner next.

SENATOR BAACK: Yes, Mr. Speaker and colleagues, just a...I just have a brief explanation of the lawsuit that was filed. My understanding of the lawsuit that was filed is it's filed on the Open Records Law but the basis of the filing is based on the definition of agency that is found in the Open Records Law. And so there is definitely a link between their filing in the Open Records Law and as to whether or not they are a state agency because that's what is going to...that's what's going to decide whether or not they have to comply with the Open Records Law because there is a definition of agency in the Open Records Law. That's what they're questioning as to whether or not they fall under that definition of agency. That's my understanding of the suit. Senator Schimek would like some time. Thank you.

SPEAKER BARRETT: Senator Schimek.

SENATOR SCHIMEK: Yes, Mr. President and members of the body, I would just like to concur with what Senator Baack just said because I wasn't really clear enough about it when I was at the microphone before and I did send down to my office to get the file and I think his interpretation is entirely correct. I guess, just briefly, I would like to go back to the Appropriations Committee hearing that we did have with the State Historical Society and at one point, after a number of questions about funding and how the funds were being spent, Senator Scott Moore asked the Director if he would mind if the state audited the society's books and collections. And Mr. Hanson said that he wouldn't mind it if they're deemed a state agency and that's what the pending court action is aiming to find out. Those were his words. I would also like to remind you of some things that were brought out in a Lincoln Star editorial of January 31st, which the headline said, "Society Meets Test, It Quacks Like An Agency". And it reminded us that that...that it has its headquarters in a building that is being remodeled by state funds, that it has state laws which provide a definition and scope, that never has the State Historical Society asked the editors of the Nebraska Blue Book to remove the society from its pages, that it has continually taken state tax dollars and never questioned that. So I guess I would just like to go back to the fact that I...I question what they're doing here. I think it's