

March 14, 1990

LB 799, 1031, 1059
LR 239

and say, is this the direction we want to continue to go? And I think not. And I think the real reason, obviously, for the amendment that was filed today is to try to plead one more time that the Historical Society realize the damage that is being done daily. And I understand the theory that short-term gains sometimes can be made and short-term battles and immediate battles may be won, but you may lose the war, and I think all sides need to look at that because in that particular scenario no one wins. But I would like to also throw out one other thing. If the argument is, as Senator Baack implies and that I think is correct as well about the issue of state agency on the lawsuit, and if the courts would rule that it is, in fact, not a state agency, my, my, doesn't that get interesting? I wonder if we would even have a lawsuit filed on behalf of some taxpayer or some entity saying that the state has illegally given taxpayers' money, that we have taxed and given it to a private institution. I think that's one of the reasons why we have LR 11CA in front of us, to allow permission for entities to do just that, because it certainly is against the law now. And I hope the Historical Society understands that, that it's putting the state in a very difficult situation to the point that if they are not an agency, then the funding question becomes even more of an issue and it's not even based upon LB 340 anymore, it's based on constitutionally what can we do. And our hands will be...we'll have to play our cards and we'll be forced to do that which I think the Historical Society would find very damaging and not in its best interests. If, in fact, they rule it's a state agency, I suspect next year when the biennial budget comes through, there's going to be a great difficulty in the society being able to get the funds that it needs. And we have a scenario that is before us that could be solved so easily but we have a lot of pride and ego and we need to get those players out and the reasonable players in so that we can together move forward. And, with that, Mr. Speaker, I withdraw the amendment.

SPEAKER BARRETT: It is withdrawn. Have you matters for the record, Mr. Clerk?

CLERK: Mr. President, I do. I have amendments to be printed by Senator Beyer to LB 799; Senator McFarland to LR 239. And, Mr. President, I have amendments from Senator Withem to LB 1059. (See pages 1371-73 of the Legislative Journal.)

And, finally, Mr. President, a motion to reconsider the vote on the Kristensen amendment that was taken earlier today. That's