

have any advice and consent power to take a look at these contracts. We did that when we adopted this amendment language. So if the Hohenstein amendment is to bring this bill back and to strike the other amendments succeeds, the Legislature will have absolutely no oversight whatsoever over this process, and, in effect, what we will be doing is taking out of, taking out of the tribal compact law a specific prohibition on forms of gambling not permitted under state law. That is the kind of legislative history that, quite frankly, will open up without any question, will open up negotiations for all types of gambling and casino gambling. So I would agree with Senator Hohenstein that it is not, and I certainly understand his point, it is not his intent that a vote for his amendment is a vote for casino gambling. Though what I would suggest is that a vote for his amendment speeds up the process of getting to the point where casino gambling is going to be acceptable and actually occur in Nebraska. Let's get to the issue of bad faith very quickly, all the federal law requires, all the federal law requires is that there be good faith negotiation. It does not require that the state actually reach agreement with the Indian tribe.

PRESIDENT MOUL: Time.

SENATOR ASHFORD: Thank you.

PRESIDENT MOUL: Thank you, Senator Ashford. Senator Schellpeper.

SENATOR SCHELLPEPER: Thank you, Madam President and members. I rise to support the motion to return and the Hohenstein amendment. I don't think it makes any difference whether Section 7 is in the bill or not. The original bill, LB 231, is designed to state that the Governor is to negotiate in good faith with the Indian tribes. Now the key word in this bill is negotiate in good faith, and that's what the original bill did. By adding the Ashford amendment on General File, that good faith disappeared, and I think when you...if we get back to the original bill, then we'll have somebody that can negotiate in good faith. Now Kansas got into some problems because they didn't have anybody authorized to negotiate with the Indian tribes. That's what we are attempting to do with LB 231. We are stating that the Governor of the State of Nebraska will negotiate with the Indian tribes for gambling in the State of Nebraska. Whether it's any type gambling, it has to be