

issues extensively, I would like to reserve the ability for the state to prohibit this issue. I think the fact is that at the federal level there are too many questions for us to put a provision like the Ashford amendment into state law. We are probably better off adopting the Hohenstein amendment. That is the course that I think poses the least risk for us and puts us in a position to be able to pursue these issues with the least likelihood of legal jeopardy. Thank you.

PRESIDENT MOUL: Thank you, Senator Will. Senator Wesely.

SENATOR WESELY: Thank you, Madam President and members. I rise in concern about both the issue and some of the discussion. I heard Senator Chambers' comments and I understand the point he is trying to make and share his concern. I have, over the years, consistently been a very strong supporter of various issues that empower and enable the Native Americans of our state to deal with the number of concerns that they have, and that position comes in contrast now with the long-standing concern on my part in terms of gambling, and I think his position about inconsistency among some, I can understand that the potential is there in my own situation. I think I have been a good supporter on both sides of the concerns that come in conflict right here, and this makes the issue very difficult. I want to be supportive of the Native Americans of this state. I want to be as helpful as I can. At the same time, I very much oppose the idea of casino gambling and I opposed the lottery and the various initiatives, have done that consistently, so how do we resolve this? I am not sure exactly, but I know that it's not an easy issue. The one thing I'd want to ask Senator Hohenstein, if he doesn't mind, first off, the question has been raised about do we even need the bill? What powers does the Governor now have to negotiate? He has already negotiated one compact which is ratified by this bill. If we do nothing, what is the situation, the Governor by what authority goes forward and negotiates the compact, is that the case?

SENATOR HOHENSTEIN: Yeah, I think the intent...the original intent of the bill is to make it clear that the Governor was the person that had the authority. I think it's clear that the Governor has, in fact, negotiated the compact with the Omaha Tribe, and I think we had an Attorney General's Opinion, I think Senator Beutler requested, which asked whether that needed to be ratified by the Legislature, and correct me if I'm wrong, Senator Beutler, but I think the AG's Opinion came back and