

PRESIDENT MOUL: We have ceased debate. I will recognize Senator Hohenstein for closing.

SENATOR HOHENSTEIN: Just very briefly, and thank you for the discussion, and there is going to be some opportunity for additional discussion on the amendment itself, and I think that's probably appropriate. I think that the scenario that we have, if we do not move this back to Select File and consider the adoption of the amendment is simply that we will lose in federal court. First off, we are going to go to the Governor's Office, and if I were a member of an Indian tribe, I'd walk in and say, what have you taken off the table? First and foremost, what's there to negotiate? And the Governor is going to look at this bill, 231, and he is going to say, well, the Legislature gave me everything except what's been excluded by the Ashford amendment, and the Indian tribe is going to say, well, you know you've got Class III gaming in other areas, why can't we have this? And the Governor is going to say, I am not sure why except you can't. The Legislature said no, so it's off the table. The Indian tribe is going to look at the federal cases and they are going to walk back out of the Governor's Office and say, you know, we have bad faith negotiation. They are going to walk to Federal District Court, they are going to file their case, and they are probably going to prevail in this circuit, and they may not prevail in Connecticut, but we are not in Connecticut. We are in Nebraska in the Eighth Circuit, and they are going to prevail in this circuit on that issue. And if they prevail, we are going to lose the right to have the Governor negotiate because the federal act says that if you prove bad faith, the Governor doesn't negotiate, the Legislature doesn't negotiate, a federal mediator negotiates the compact. I don't think that's what you want to happen. I trust the Governor's Office to do what needs to be done. I think it's clear that they've received a message as far as public policy is concerned of what this body wants and doesn't want. I think the Governor's Office is the place negotiations ought to occur. That will not happen unless you remove the Ashford amendment, and the only way to do that is return this bill to Select File and have an opportunity to do that. And I'd ask that...and I'd ask that this body do exactly that.

PRESIDENT MOUL: Thank you, Senator Hohenstein. We will now vote on the motion to return. All those in favor please vote aye, opposed nay. Have you all voted? Please record,