

Nebraska with a sovereign nation? Should we maybe ratify the decisions he is making in the Wyoming versus Nebraska case. Should we be involved in that? You know, maybe we...that's a big issue, maybe we should have some discussion in that. I mean you can draw any example you want, but the fact of the matter remains that the federal law exists and the federal law tells us what we should and should not do, and what we can and cannot do, and the only way to ensure good faith negotiations in this case is to have a little faith in what the Governor will do to allow him to negotiate with a sovereign nation on a compact, and the only way to do that is to eliminate the Ashford amendment. The adoption of my amendment would do only that and nothing else, and I'd urge adoption of the amendment.

SPEAKER BAACK PRESIDING

SPEAKER BAACK: Thank you, Senator Hohenstein. Senator Ashford.

SENATOR ASHFORD: Very briefly, Mr. Speaker and members, and I understand, Senator Hohenstein, that there are differences of opinion. The language that we are...looks like we are going to soon strike is language that the Department of Revenue gave to me to introduce into the Legislature. It was language that comes right out of the case in Wisconsin. Senator Hohenstein talks about, and he's right, that we can interpret the Wisconsin case many ways, but there is a holding in the Wisconsin case which is not extra verbiage, it is the actual decision. And in the actual decision, it talks in terms of the state being able to prohibit types of gambling and to take that off of the table. So I really do think the Wisconsin case supports the amendment. The Department of Revenue gave me the language to put in there, number two. Number three, the good faith issue, there is a difference between public policy and good faith. We, in this amendment that is now on that we are debating now has stated what our public policy is. Our public policy in Nebraska is to prohibit forms of gambling not otherwise permitted under state law. That is a statement of our public policy. The issue that Senator Hohenstein is, and Senator Schellpeper talked about, is the issue of good faith bargaining. We are required under federal law to bargain in good faith. What that means, it doesn't mean, as I said at the end of my last talk, that you have to come to an agreement. What it means is you have to meet and confer and try to negotiate a contract. There are plenty of types of gambling available to the Indian tribes and the Governor to negotiate on. All of the types of gambling that we