

because we've been discussing a lot of things I don't think are necessarily pertinent. The basic fact is that the Indian Gaming Regulatory Act provides for compacts. Once that was done, we had very few choices left to us as the State of Nebraska because we already allowed some Class III gaming. The federal courts are now construing the Indian Gaming Regulatory Act in such a fashion, I believe, that if you have any Class III gaming in your state, you must negotiate with the tribes for any type of Class III gaming. Now whether that is good policy, bad policy, whether it should be changed, all of those things will occur at the federal level. But we are stuck with it, in my view. And if we pass 231 in its current form, we will almost certainly be very, very quickly in court, and I think we'll lose hands down. Absolutely hands down. Now we might be in court sometime in the future if we amend 231, advance it subsequently. But that is not nearly as certain as if we do not amend it with the Hohenstein amendment. I think the Governor can fairly and honestly and appropriately negotiate a compact. I don't have any concerns about that. And I do not want to be in the situation that Kansas found itself in with no one in authority to negotiate a compact with the tribes. I believe we ought to adopt the Hohenstein amendment, pass the bill, and move on.

SPEAKER BAACK: Thank you, Senator Wickersham. Senator Byars.

SENATOR BYARS: Question.

SPEAKER BAACK: Question's been called. Do I see five hands? I do. We will now vote on ceasing debate. All those in favor vote aye, opposed vote no. Record Mr. Clerk.

CLERK: 26 ayes, 0 nays to cease debate, Mr. President.

SPEAKER BAACK: Debate has ceased. Senator Hohenstein to close on your amendment.

SENATOR HOHENSTEIN: Thank you, Mr. Speaker, members of the body. I appreciate the discussion. I apologize for its length, although I remind the body that the reason that this did not occur on, on Select File was that I did not offer my amendment to do this since Senator Ashford was not present that day, otherwise we would have taken it up earlier. I understand the quandary some of the members find themselves in. And...I appreciate it. It's a, it's a fair quandary. I think there's a lot of legitimate concern about the expansion of gambling