

quite frankly, the, the tribes are going to be able to negotiate for a significant, I would think, or want to negotiate far beyond what is permitted under state law. So, I guess, in conclusion I would just say out of frustration I thought that at Select, on Select File...General File that we had some language that was reflective of our understanding of what we wanted the Governor to do and to keep within the strictures of our public policy, and now we've gone, we've pretty much broken through that to the point where we're now setting the Governor up as the agent of the state to negotiate under, under federal law with the Indian tribes. And that federal law is rather expansive, and it's just, it's really as if we were sending in the...we might as well just go to the step, at this point, of directing the Department of the Interior to, or that the...well, the Department of the Interior representative to, to negotiate directly with the Indian tribes because that is in essence what we have. But we'll see, it might not work out that way and we might not have that kind of result. But with that, I'm going to give the rest of my time to Senator Beutler.

PRESIDENT MOUL: Senator Beutler.

SENATOR BEUTLER: Madam President, members of the Legislature, Senator Hohenstein, a couple of questions, if I may, just to see if I can get straight in my own mind what some of the thinking is on the part of, of people who seem to be for this. A little while ago we struck subsection 7, which prohibited Class III forms of gambling that had not been currently permitted by Nebraska statutes, right?

SENATOR HOHENSTEIN: It prohibited negotiations in a compact on Class III forms of gambling now permitted by Nebraska statute.

SENATOR BEUTLER: Okay. And, and the reason we struck that from the, from the instructions given to the Governor was because that would not be in good faith, is that right?

SENATOR HOHENSTEIN: That's my interpretation of the case laws that exist, yes.

SENATOR BEUTLER: Yeah, that's one interpretation of, of the case law. However, if you have a different interpretation then it wouldn't be, necessarily, in bad faith to have that provision, right?