

SENATOR CHAMBERS: Senator Goll, do you have other amendments that you intend to offer after this?

SENATOR GOLL: No, Senator Chambers, at this point in time I have no other amendments to LR 57.

SENATOR CHAMBERS: Thank you. I had talked to Senator Goll before the Legislature recessed and I told him that in my opinion these WHEREASES don't really add anything to what we're talking about at all. Whether you state that the Attorney General issued an opinion or don't state it, that opinion exists. Whatever impact it has is going to be there. Court decisions that have been handed down will not be altered whether we put these WHEREASES in or take them out. As far as any power that the tribe would have as a result of retrocession, that power remains unchanged and intact whether these WHEREASES are present or not. I saw the handout that Senator Hefner passed around talking about video lotteries which are occurring on the Winnebago Reservation in Iowa. The reason video lotteries are legal on the reservation in Iowa is because video lotteries are legal in Iowa. I want to try to state as directly and simply as I can what the law is with reference to this gambling. Any gambling which the state allows, that gambling can be engaged in on a reservation whether there is retrocession or not. The Winnebagoes, if they chose, could have this gambling that is legal in Nebraska right now, if they chose to. There is no regulation that the state imposes which would be imposed on the reservation. So, even without retrocession any gambling which is legal in the state is legal on the reservation and there can be no state regulation binding it. That is what exists now. I think these propositions that were put into the resolution were designed to accomplish what Senator Hoagland mentioned in terms of reassuring people of what the state of the law is, but putting these provisions in the resolution will not alter anything. This resolution would be as effective if we dropped all the WHEREASES and only kept the THEREFORE, BE IT RESOLVED. That is the only part that really means anything. You can put a thousand provisions in a contract, but until both parties sign, demonstrating there was a meeting of the minds, there is no contract. They are just words on paper. We could have a thousand WHEREASES or one WHEREAS. We could simply state, WHEREAS various members of the Legislature have differing points of view about what ought to be in this