

emphasize here is that when you get into an arbitration committee, the tendency of the arbitration committee to favor, well, not necessarily to favor, but to not favor the tribal members is going to be extremely strong. I think it behooves us to lean over backwards, to lean the other way, to be sure that the minority members, in this instance the tribal members, are adequately protected and that the remains of burial goods, which they value highly, are protected.

SENATOR LABEDZ: Senator Landis, on the amendment.

SENATOR LANDIS: Thank you, Madam President. This is a close call, kind of a tough one, and we are going to see it in two or three more amendments. As a matter of fact, we could, probably, call the question, put our imprimatur on this one, and then all subsequent (inaudible)...could just simply strike this amendment, and we could get on with some of the other amendments that await us. But let's talk, I suppose, now about what the right dispute resolution mechanism is. I am satisfied with this one and will accept it, personally. I like the idea of a dispute resolution system that does not immediately proceed to court, that we try to solve these things administratively. It is not uncommon to have an administrative procedures mechanism to solve difficult situations to reduce court time and energy. What about public counsel as the party to make this resolution on behalf of the state? Well, Don Wesely is right, it is not uncommon to have two parties pick a third member and have that three panel decision arbitrate a disagreement, and if there was a better relationship between the parties, I think we probably could trust them to do that. Otherwise, we have a fear that it will go on too long, that that will become a new arena of disagreement. I am satisfied with this amendment. I think this is satisfactory and I will tell you why. You and I, as the legislative branch in this state, have but a very few employees, the Clerk's Office, Research Office, Accounting, and the Public Counsel. It is a legislative employee, part of our branch of government. Why do we hire the public counsel. We hire the public counsel to be the public's lawyer on our behalf. They have a difficulty with a bureaucracy, who have we empowered to act on our behalf? The public counsel on all kinds of things, some of them pretty darn intricate. It can be the employment practices of this state. It can be whether or not there has been racial discrimination in the workplace, and what kind of appropriate remedies could be. It could be in the case of the issue I took to them last year of the appropriate sexual