

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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FLOOR DEBATE

February 13, 2001 LB 97, 280

ASSISTANT CLERK: 28 ayes, 0 nays on advancement of the bill, Mr. President.

SPEAKER KRISTENSEN: The bill advances. LB 97.

ASSISTANT CLERK: Mr. President, LB 97 was a bill introduced by Senator Schimek and other members. (Read title.) The bill was read first time on January 4th. It was referred to the Government, Military and Veterans Affairs Committee. I do have committee amendments, Mr. President. (AM0132, Legislative Journal page 458.)

SPEAKER KRISTENSEN: Senator Schimek, you're recognized to open on the bill.

SENATOR SCHIMEK: Yes, thank you, Mr. President and members. Let me give you just a tiny bit of background on this bill. In 1989, some of you are still here who will remember this, the Legislature passed the Nebraska Unmarked Human Burial Sites and Skeletal Remains bill. That act created provisions to protect unmarked graves and set in place a procedure to deal with remains if they are inadvertently exposed during farming, construction, or through natural erosional processes. LB 97 seeks to make a very minor procedural change to this law. As it now stands, if Native American human remains and burial offerings are inadvertently unearthed on private or nonfederal public land, the State Historical Society is charged with recovering those remains and analyzing them to determine if they are...if they are Indian remains and, if so, then they try to find out if the remains can be affiliated with a particular tribe. If they cannot determine a tribal affiliation or if an affiliated...or if affiliated remains are unclaimed by the affiliated tribe the remains are returned to the county they were discovered in and reburied in an appropriate cemetery in the county at the expense of the county. LB 97 simply amends the law to read that those unclaimed or unaffiliated remains be reburied in consultation with the Nebraska Indian Commission on tribal land by one of the four federally recognized tribes in Nebraska. LB 90...or LB 97 has several advantages over the existing system. For one thing, it will save counties money. It also allows the staff to deal more directly with the Indian