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LR 11, 14

SENATOR SCHIMEK: Thank you, Senator Redfield. And I did try to explain that a little while ago. This section (c) refers to eight facilities that are not Indian or tribally-owned facilities. The paragraph before simply acknowledges the fact that if we open up Class III gaming that we indeed will be obliged to compact.

SENATOR REDFIELD: I realize that we would be obliged under federal law to open it up to the tribes if we approve it in our constitution.

SENATOR SCHIMEK: Right.

SENATOR REDFIELD: Then my other question is regarding the subsection on the tribes, where it's talking about federal recognition. I understand that in some states there have been other tribes that were not recognized previously but that have asked for federal recognition. Could that also occur in Nebraska, where we have four tribes that have been recognized? Would it be possible for the federal government to then recognize other tribes in the state of Nebraska?

SENATOR SCHIMEK: You know what, Senator Redfield, my immediate answer is no. But I want to double check on that and make sure that I have my information correct. The way we had it worded originally in LR 14CA, that possibility couldn't happen, because we talked about the tribes that were federally recognized, their trust lands, federally recognized as of 1988, and they had to be headquartered here in Nebraska. We did not include that specific language in this compromise. So I need to get a little bit of support from legal counsels over here.

SENATOR REDFIELD: All right. And then one further question on that same subsection, and that regards the lands. I understand we have one tribe that did not have reservation lands that has then since accumulated some lands. And would they then be able to operate gaming on those sites?

SENATOR SCHIMEK: No. And I think you're referring to the Ponca Tribe.