

SENATOR GOLL: Mr. President, ladies and gentlemen of the Legislature, so that you won't get confused, if you want to look in your Journal on page 303, I am addressing on that page the last WHEREAS beginning on line 6, the next WHEREAS beginning on line 17, page 304, and the last WHEREAS appearing on line 24 on page 304. The first one, "WHEREAS, due to recent publicity concerning Indian gaming activities nationwide, many citizens of Nebraska believe that the Winnebago Tribe wishes to achieve retrocession in order to broaden its authority to conduct unrelated gaming activities yet according to opinions issued by the Department of Justice of the State of Nebraska, federal courts, and other authorities, retrocession will in no respect affect the rights of the Winnebago Tribe to undertake gambling activities;." On page 304, "WHEREAS, the Winnebago Tribal Council, on behalf of the tribe, passed a resolution dated 1-9-'86, declaring it has no intention to, nor will it, establish any gambling operations that contravenes either state or federal law, nor does it have any plans whatsoever to establish gambling operations on the Nebraska portion of the Reservation prior to the year 2000 A.D.;." And, finally, on page 304 beginning on line 24, "WHEREAS, the Nebraska Legislature thus concludes, based on the law and upon the representations made by the tribe, that gambling and gaming operations are not pertinent to the issue of retrocession and that retrocession will not grant the tribe any additional authority to undertake such operations." I would move to amend LR 57 by striking these three WHEREASES. All of these refer to gambling. The proponents, the proponents of this resolution have gone through much effort to attempt to prove to you that the Winnebago Tribe has no interest in gambling. I haven't previously considered this an issue relevant to retrocession, but since it now appears in the resolution, let me tell you a little bit about Indian gambling. The Winnebago Tribe is currently operating high stakes bingo on the reservation in Iowa. According to the U.S. Supreme Court decisions, so long as an activity is allowed by a state, any tribe can engage in that activity but need not follow state regulatory laws. What this means is that because Iowa allows bingo, Indians can run bingo but can ignore Iowa law regarding payout, stakes, qualifications of operators, et cetera. That is what the Winnebagos are doing in Iowa. Many states are concerned about this quirk in the law. Nationally, the number of bingo parlors, card rooms,