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Editorial: Tribe without accountability

Wolk bill deserves a veto

Published 2:15 am PDT Tuesday, September 13, 2005

Leaders of the Rumsey Band of Wintun Indians, the tribe that runs Cache Creek Casino, are quite clear about why they support AB 1747. The bill would fulfill their goal to gain acceptance as a legitimate government on par with other local governments in the region.

But therein lies the problem. The Rumsey Band is not like other governments. It is a federally recognized semisovereign American Indian tribe. Unlike other local public agencies, it was not created by the state, nor is it bound by state laws. Californians don't elect tribal leaders and can't hold them accountable.

AB 1747, by Assemblywoman Lois Wolk, D-Davis, would permit the Rumsey Band to participate in a joint powers authority with Yolo County and other local governments and public agencies in the county. The authority would set and enforce public policies. Many gambling tribes, enriched and emboldened by casino profits, have been free to ignore the authority of local governments and have done so. With this measure, the Rumsey tribe is seeking to act cooperatively with its neighbors, and that's a good thing.

Unfortunately, the bill would extend the tribal authority beyond tribal lands. That's a mistake.

In this bill, the Rumsey Band seeks to be treated like a local government or public agency but wouldn't be bound by the same rules. For example, the Woodland City Council cannot contribute to local or state politicians' election campaigns, but the Rumsey Band can and does.

Also, the tribe has extensive commercial interests throughout Yolo County. The

decisions it would make as a member of a JPA, even in concert with other local governments, could have a direct influence on its commercial enterprises. That creates an unavoidable conflict of interest.

While the bill does not mention Yolo County's controversial fight to acquire the Conaway Ranch through eminent domain, that is the context in which this measure has been introduced. If and when that 17,300-acre property is taken into public ownership, it will be managed by a joint powers authority, which currently includes Yolo County, the cities of Woodland, Davis, West Sacramento, Winters, the Yolo County Flood and Irrigation District and the University of California, Davis. The Rumsey Band has offered to help Yolo County finance the Conaway Ranch purchase. If Gov. Arnold Schwarzenegger signs AB 1747, it is contemplated that the tribe would become a member of the Conaway Ranch JPA.

Just the appearance of financing the deal, then managing the outcome would be troubling. Moreover, the tribe would be entangled in a bitter eminent-domain fight, one of the most contentious issues at the local, state and national levels. To invite a tribal government that is unaccountable to the public, one with extensive commercial interests in the area, to join such a public body invites controversy.

To its credit, the Rumsey Band has worked cooperatively with local governments in the past. It has forged agreements with the state and its Yolo County neighbors that have benefited the tribe and the wider public. Those agreements came without membership in a JPA. The tribe and local governments can continue to operate as they have in the past.

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