

# Senate Joint Resolution 34

Sponsored by COMMITTEE ON RULES (at the request of Senator Ted Ferrioli, Senator Kate Brown, Representative Tom Butler)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Expresses legislative support of plans to transfer into federal trust certain lands acquired by Burns Paiute Tribe.

## JOINT RESOLUTION

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2       Whereas the Burns Paiute Tribe, also known as the Wadatika, acquired the Logan Valley Miti-  
3 gation lands and the Malheur Wildlife Mitigation property in 2000 with financial assistance from the  
4 Bonneville Power Administration (BPA) and holds both properties subject to an executory interest  
5 in favor of the BPA that requires the properties to be permanently managed for wildlife habitat  
6 protection; and

7       Whereas the tribe views the Malheur and Logan Valley lands as essential to the Wadatika's  
8 identity and existence as a tribal community; and

9       Whereas the lands lay within the tribe's aboriginal territory until the tribe was dispossessed of  
10 the lands by the federal government in the 19th century; and

11       Whereas placing the lands into federal trust will ensure that the lands will be nonalienable  
12 without just compensation and immune from liens and encumbrances other than the permanent  
13 conservation easement for wildlife mitigation and habitat restoration; and

14       Whereas placing the lands into federal trust also will advance tribal sovereignty by recognizing  
15 the right of the tribal government to exercise self-governance over lands that are sacred to the  
16 Wadatika; and

17       Whereas this increase in the tribal land base will expand the tribe's opportunities to practice  
18 their culture and traditions and may increase the tribe's annual funding allocation from the United  
19 States Bureau of Indian Affairs; and

20       Whereas the federal government, through the United States Department of the Interior, will act  
21 as a fiduciary in managing the tribe's property, including existing natural and cultural resources,  
22 which will maximize governmental resources in increasing the protection of wildlife habitat, riparian  
23 areas, watershed restoration and cultural sites and resources important to the tribe; and

24       Whereas placing the lands into federal trust will increase opportunities to coordinate with the  
25 state and with local governments in the areas of ecotourism, watershed management and habitat  
26 restoration; now, therefore,

### **Be It Resolved by the Legislative Assembly of the State of Oregon:**

27       That we, the members of the Seventy-third Legislative Assembly, support the plans of the Burns  
28 Paiute Tribe to transfer the Logan Valley Mitigation lands and the Malheur Wildlife Mitigation  
29 property into federal trust in accordance with 25 C.F.R. 151.  
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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.