

Transcript Prepared by Clerk of the Legislature Transcribers Office
Appropriations Committee March 3, 2025

CLEMENTS: Good afternoon. Welcome to the Appropriations Committee, my name is Rob Clements. I'm from Elmwood and represent Legislative District 2, which is Cass County and eastern Lancaster County. I serve as chair of this committee. We will start off by having the members do self-introductions, starting with my right.

PROKOP: Hi. Jason Prokop. Represent Legislative District 27 in west Lincoln and Lancaster County.

M. CAVANAUGH: Machaela Cavanaugh, District 6: west-central Omaha, Douglas County.

DOVER: Senator Rob Dover, District 19: Madison and south half of Pierce County.

DORN: Myron Dorn, District 30.

STROMMEN: Paul Strommen, District 47: the Panhandle.

CLEMENTS: Thank you. Assisting the committee today is Cori Bierbaum, our committee clerk. And to my left is our fiscal analyst-- analyst, Shari Glaser. Did I get that right? Shelly Glaser. There are pages today, are Ruby Kinzie and Wesley Earhart. If you're planning on testifying today, please fill out a green testifier sheet located in the back of the room and hand it to the page when you come up to testify. Online position comments must have been submitted on the Legislature's website by 8:00 a.m. the day of the hearing to be included in the record. If you have submitted a comment online, we ask that you not testify in person today. If you will not be testifying but want to go on record as having a position on a bill being heard today, there are yellow sign-in sheets at the entrance to my left. These sign-in sheets will become exhibits in the permanent record after today's hearing. To better facilitate today's hearing, I ask that you abide by the following procedures. Please silence your cell phones. Move to the front chairs to testify when your bill or agency is up. When hearing bills, the order of testimony will be introducer, proponents, opponents, neutral, and closing. When we hear testimony regarding agencies, we will first hear from a representative of the agency. Then we will hear testimony from anyone who wishes to speak on the agency's budget request. When you come to testify, please state and spell your first and last name for the record before you testify. Be concise. We request that you limit your testimony to five minutes or less, except for the first agency representative. When you begin your testimony, the light on the table will be green. When the yellow light comes on, you have one minute remaining. And the red light indicates

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you need to wrap up your thoughts and stop. Questions from the committee may follow. Written material may be distributed to the committee members as exhibits only while testimony is being offered. Hand them to the page for distribution when you come up to testify. If you have written testimony but do not have 12 copies, please let the page know so they can make copies for you. With that, we'll begin today's hearing with Agency 24, Department of Motor Vehicles. Good afternoon, Director.

[AGENCY HEARINGS]

CLEMENTS: We will now switch over to bills. We have LB491 by Senator DeKay. We'll open the hearing for LB491.

DeKAY: Thank you. I understand that I am the one standing between you and being done for the day. So we will get started. Good afternoon, Chairman Clements and members of the Appropriations Committee. For the record, my name is Senator Barry DeKay, spelled B-a-r-r-y D-e-K-a-y. I represent District 40 in northeast Nebraska. And I am here today to introduce LB491 on behalf of the Ponca Tribe of Nebraska in constructing a museum and visitor center honoring Chief Standing Bear. This bill seeks to appropriate up to \$7 million in the upcoming 2025-2026 fiscal year and up to \$7 million in the following '26-27 fiscal year into the Museum Construction and Maintenance Fund to construct the facility. I do have an amendment, AM467, which clarifies this request, and it has been passed out. In my first two years in the Legislature, former Senators Wayne and Brewer led the charge of trying to get funding for a Chief Standing Bear museum and a visit-- visitor center near Niobrara in northeast Nebraska. You will hear more from the testifiers behind me, but there is a lot of interest around Chief Standing Bear, one of our most notable civil rights activists from our state and our country. This interest is such that we made the decision to make it one of the two statutes that represents the state in Washington, D.C., yet we as a state don't really have a place that truly honors Chief Standing Bear and his significance to Nebraska and our country. A bit of history on how we got here. In 2023, the Legislature passed LB531, which contained intent language that the Game and Parks Commission construct, develop, and manage a museum and a visitor center honoring Chief Standing Bear with an appropriation up to \$15 million. In 2024, the Legislature passed LB1413, which created the Museum Construction and Maintenance Fund to be administered by the Game and Parks Commission. The fund is to be used to provide grants to a federally recognized Indian tribe for the purposes of constructing the facility, including visitor center development, exhibit fabrication, and historical interpretation, and for any administrative costs related

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to the grants. An initial \$750,000 was appropriated to this fund in 2024 for exhibit fabrication and historical interpretation. The intent language called for a subsequent appropriation up to \$15 million in the 2025-2026 year for the actual construction of the museum and visitor center. This year, Governor Pillen did not approve the scheduled transfer of the \$15 million for Economic Recover-- Recovery Contingency Fund to the Museum Construction and Maintenance Fund to build the Chief Standing Bear museum and visitor center. Additionally, the governor in LB264 proposed that the \$7 million transfer to the Museum Construction and Maintenance Fund scheduled to take place in 2026 be clawed back and redirected to the General Fund. Additionally, LB264 would also sweep the interest from Economic Recovery Contingency Fund to the General Fund. My office reached out to the Legislative Fiscal Office and was informed that there is \$750,000 in the Museum Construction Fund and Maintenance Fund for exhibit fabrication and historical interpretation. There is another \$127.39 in interest in the account. There is also \$15 million in the Economic Recovery Contingency Fund that is available to potentially carry out the scheduled transfer to the Museum Construction and Maintenance Fund in the fiscal year '25-26 in accordance with the provisions of LB14-- LB1413 passed last year. However, we understand that the challenges this committee is facing when it comes to the current budget shortfall, so for now the final source of the funds for this project is yet to be determined. Again, LB491 with the proposed amendment, AM467, seeks to appropriate up to \$7 million in the upcoming '25-26 fiscal year and up to \$7 million in the following '26-27 fiscal year into the Museum Construction and Maintenance Fund to construct a facility. Representatives from the Ponca Tribe of Nebraska will be following behind me to testify on this bill. The Game and Parks Commission also submitted a letter that this committee should consider as well. I would be happy to try to answer any questions you may have, but I suspect the testifiers following me should have the information you may need. This concludes my opening remarks. Thank you.

CLEMENTS: Senator Spivey.

SPIVEY: Thank you, Chair. Thank you, Senator, for being here and your opening remarks. So the changes with your amendment and what was in the legislation-- I just want to make sure I understand. Does that honor the governor's changes and sweeps that are happening to this? Or, like, why are you having less money as a part of this bill?

DeKAY: This will honor the-- basically help clarify the shortfall this year and re-- redirect funds possibly going forward.

SPIVEY: OK. Thank you.

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CLEMENTS: Are there questions? Senator Prokop.

PROKOP: Is this-- so is this project-- is there any private or philanthropic dollars that are going to this too or is this all state-by-state [INAUDIBLE]?

DeKAY: Come again?

PROKOP: Is this, is this project being supported by private and philanthropic dollars as well, or is it state dollars that are going to the construction for this?

DeKAY: No, this is, this is all pub-- going to be public funds and with the--

PROKOP: Thank you.

DeKAY: --Ponca Tribe. Yeah.

CLEMENTS: Senator Dorn.

DORN: Thank you, Senator Clements. Thank you for being here. So where, where, where, where does this sit at today? I know last year we talked a lot about this in the budget or Senator Wayne had some proposals and stuff. Where, where does it sit at today? Has something been designed or-- I, I saw downstairs it looked like a, a, a, a drawing or whatever of--

DeKAY: That was the initial fabrication process that they have designed, which will be constructed on the Ponca Agency, which is approximately three and a half miles south of the Niobrara State Park. So it won't be built within the park parameters.

CLEMENTS: Well, I had one question. Line 19th talks about a museum at Fort Robinson State Park. Are you talking about a Fort Robinson facility or Niobrara?

DeKAY: What-- my intention-- and I think they will be able to answer better, but my intention and my interpretation is this is a visitor center at the Ponca Agency and not out at Fort Robinson.

CLEMENTS: All right. Thank you.

DeKAY: Thank you.

CLEMENTS: Will you stay to close?

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DeKAY: Yes.

CLEMENTS: OK. Thank you.

DeKAY: Thank you.

CLEMENTS: Now we welcome proponents for LB491. Good afternoon.

COURTNEY CHAVEZ: Good afternoon, Chairman and committee. Thank you for your time this evening. My name is Courtney Chavez, C-o-u-r-t-n-e-y C-h-a-v-e-z. I am a citizen of the Ponca Tribe of Nebraska, and I currently serve as the CEO of Tribal Affairs for the Ponca Tribe. The amount of pride I have in my tribe, our culture, and traditions is difficult to put into words. In 2024, I sat before this committee and spoke about the significance of the Chief Standing Bear Museum and Cultural Center. I shared stories of my grandmother, our history, and the importance of Nebraska standing with the Ponca Tribe in this vital effort, a venture that will preserve, restore, and share our stories for generations to come. This project is not just about the Ponca Tribe. It is about all Nebraskans. It is about honoring our shared history and recognizing the impact of Chief Standing Bear, whose landmark legal case set a precedent for civil rights in this country. A museum honoring Chief Standing Bear will bring far-reaching benefits not only to the Ponca Tribe of Nebraska but to Nebraskans as a whole. Cultural tourism is a thriving industry, and according to the American Indian and Alaska Native Tourism Association, it accounts for an estimated 40% of tourism worldwide. In your packet, you will find data reinforcing the economic benefits of investing in cultural tourism and the positive impact it has on local economies. This project will drive visitors to Nebraska, support local businesses, and create jobs in Knox County and beyond. Since joining the Ponca Tribe's executive team in 2023, I've worked closely with architects and designers to develop a state-of-the-art facility that authentically captures and shares the history between the Ponca Tribe and the state of Nebraska. Today, in the Rotunda, you can view Chief Standing Bear's tomahawk, a symbol of our nation's legal and civil rights history. This powerful artifact tells a story of resilience and justice, and it deserves a permanent home where its full historical context can be experienced and understood. In the Rotunda, you will also see a model of the future Chief Standing Bear Museum and Cultural Center. What began as a \$15 million vision has evolved into a \$35 million reality, an investment necessary to ensure the facility serves as a world-class cultural and educational destination. This facility will not only house Chief Standing Bear's tomahawk but will immerse visitors in the Ponca Tribe's history, language, and traditions. It will feature exhibits about the

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Ponca clan system, traditional regalia and artwork, and a theater for storytelling and cultural performances. The center will also have a recording studio and event space and an interactive educational opportunities that will benefit students, educators, and visitors from across the nation. Today, I stand before you with a direct request: I urge this committee to support the funding necessary to make this vision a reality. I ask for your backing in passing the legislation that appropriates funding to the Chief Standing Bear Museum and Cultural Center. And this is just not an investment in the Ponca Tribe. It's an investment in Nebraska's economy, education, and cultural preservation. Chief Standing Bear's legacy is a story of justice, perseverance, and the fundamental rights of all people. By supporting this project, you're not only honoring his legacy but also ensuring that future generations have an opportunity to learn from his journey. I ask that you stand with the Ponca Tribe and with all Nebraskans in making this historic project a reality. Thank you for your time and your consideration. And I welcome any questions.

CLEMENTS: Are there questions? Senator Spivey.

SPIVEY: Thank you, Chair. And thank you so much for being here. What is the total project cost for the museum?

COURTNEY CHAVEZ: So right now, we're looking at about \$35 million.

SPIVEY: OK. And I just want to make sure I was clear with this amendment and what was introduced by Senator DeKay. So this just helps reappropriate the money that was already appropriated that you've been using to move this project along to ensure that it happens, correct?

COURTNEY CHAVEZ: So we have other funding that we've been utilizing. We did get about \$750,000 last year, which we're still working through agreements with, with Nebraska Game and Parks on, but we also have funding from Shakopee that they're supporting us with this endeavor. We are looking at doing fundraising and additional grant writings or federal opportunities to fund this project as well as through our own general fund.

SPIVEY: OK. And then it looks like-- because I went to go look at the exhibit, which was beautiful. So thank you for hosting today-- that it looks like the project has a completion date of 2027. Is that still accurate?

COURTNEY CHAVEZ: That's our goal, yes.

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SPIVEY: OK. Thank you.

CLEMENTS: Are there questions? Seeing none. Thank you for your testimony.

COURTNEY CHAVEZ: Thank you.

CLEMENTS: Next proponent for LB491.

ANGELA STARKEL: Good afternoon. Excuse me. My name is Angela Starkel, A-n-g-e-l-a S-t-a-r-k-e-l. I'm the vice chair of the Ponca Tribe. First, thank you for taking the time for-- to listen to us. Over many decades of envisioning and planning, the Ponca Tribe's journey towards preserving and sharing our identity, culture, and history began to take shape and is now on the verge of becoming reality. In September of '22-- 2022, when the Ponca Tribe was awarded a grant from the Shakopee Nation to aid the tribe with architecture and engineering, A&E, services for this important project: a museum honoring the legacy of Chief Standing Bear. Since then, we have been working diligently to ensure our vision takes shape. The process we have undertaken thus far includes requesting proposals from A&E firms, highlighting their qualifications, A&E firm selection, contract negotiations, site selection, site tour, architectural programming, spatial relationships, and we are currently working through the schematic design process. As you can see, it's many steps that we've been taking so far. While we have made progress, much work remains. We appreciate the funding the state passed last year, and we've been working closely with the state-- the Nebraska Game and Parks to harness those dollars to advance our work in planning the museum. We understand that the committee, as well as the state of Nebraska, has a difficult budget decisions to be made. As Courtney Chavez mentioned, the investment made by the state will be well worth it to drive tourism to a beautiful area of the state and to honor our shared history. This museum will create a re-- rich cultural experience for Nebraskans and those that travel here to experience it and honor arguably one of the most impactful persons to ever call the state home. Take a-- just a quick moment too to put some personal notes on this. As a, a former resident of Niobrara, Nebraska, I can attest to the, the shared relationships that the Ponca Tribe and the community as a whole around Nor-- Niobrara and surrounding areas have built. We've built relationships not only in friendship but also in family relationships. So really, our history is intertwined and our future is intertwined. When the Ponca Tribe looks at doing things, we not only look at for ourselves but what impact it has on the communities as a whole. We've tried to, you know, do those things that will be helpful. We've-- you know, work at partnerships and investments to, to better

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the community. We've done this through things such as paving roads, continuing that the Niobrara grocery store continues to be operational as something that is vital to the residents of Niobrara and the community surrounding it, as well as those tourists that we're trying to draw in to the area. You know, we, we've looked at other things to really invest in there. And one thing that Chief Standing Bear museum will do, it's something that's distincts that-- distinct that's-- differentiates the area. It's something that's going to be available all year round. So when we have the seasonal lulls that-- there's a beautiful area that we have. There's recreation. There's hunting. There's fishing. But this will give something that's distinct that, you know, is different than the, the other beautiful areas that we have surrounding us. So it helps to draw in that tourism. And, and, you know, it really-- it highlights that. So, you know, when we have events, we bring in hundreds of people that have a big economic impact to the businesses and the surrounding areas, to the state park. And, you know, with having the museum, it's going to have-- it's going to help to draw in people to continue that all year round. Research shows that the emerging generations of millennials and Gen Z, that they are looking for authentic, cultural, and historical destinations for when they, they go travel. They're looking for nature. Having the Standing Bear museum also with the surrounding area of the Niobrara state parks and our beautiful recreation, hunting and fishing, it really helps to draw that in. And those generations, they've-- research shows that they have-- they're more willing to spend more dollars towards tourism. So those are some things that-- you know, this could be a real investment for the community as a whole. So I thank you for your time and consideration. Wibtha'ha. Is there any questions I may answer for you?

CLEMENTS: Are there questions? Senator Cavanaugh.

M. CAVANAUGH: Thank you. Thanks for being here. So just to clarify, this was money that was appropriated last year?

ANGELA STARKEL: Mm-hmm. Initially.

M. CAVANAUGH: And, and was it a bill that was brought by a senator or was it part of the main budget?

ANGELA STARKEL: It's part-- was a bill.

M. CAVANAUGH: Whose bill was it?

ANGELA STARKEL: Senator Wayne.

M. CAVANAUGH: Wayne?

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ANGELA STARKEL: Mm-hmm.

M. CAVANAUGH: OK. Do you happen to know the bill number?

ANGELA STARKEL: I do not, but we can get that for you.

M. CAVANAUGH: Now, that-- I, I can figure that out on my own. OK. So this was Senator Wayne's bill in 2024. And-- so we passed this in 2024. And you started work on this. And then we just didn't put it back in the budget?

ANGELA STARKEL: Yeah. Well, there was continuation of talks and-- of supporting it financially. So with anything like this, we try to prepare, and we still keep that diligent work going forward. So we would appreciate that continued support. You know, it's something that really does drive the economy as a whole in the area.

M. CAVANAUGH: Mm-hmm. OK. Thank you. Thanks for being here.

ANGELA STARKEL: Thank you. Appreciate your time.

CLEMENTS: Thank you for your testimony.

ANGELA STARKEL: All right.

CLEMENTS: Next proponent. Good afternoon.

CANDACE SCHMIDT: Good afternoon, Chairman and committee members. My name is Candace Schmidt, spelled C-a-n-d-a-c-e S-c-h-m-i-d-t. I have the honor and privilege of serving as the chairwoman of the Ponca Tribe of Nebraska. You've heard from my fellow tribal members and colleagues about the history of our tribe and our progress toward building a musuey-- museum honoring Chief Standing Bear. I'd like to discuss the museum itself, what it would mean, and why it's worthy of state funding. There are ancestral belongings, like Chief Standing Bear's pipe tomahawk that is outside today, that are in possession of the Ponca Tribe that hold these stories-- stories we want to share with our community and the broader community, both Nebraskans and those beyond our borders as well. There are items that are currently not in the possession of the Ponca Tribe that should be. A goal of our museum is to not just tell our story but also to get our stories back. Indeed, this includes tracking down our stories that have been lost, sold, traded, and stolen and bring them home where they belong, to bring them to a place where the Ponca people once called home, bring them back to the families they belong to, and to allow them to be shared with the families that long to see them and hear them. The Chief Standing Bear

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Museum and Cultural Center that the Ponca Tribe is in the process of creating will meet so many needs for the Ponca Tribe and the greater community. Not only will it be a place where these items can be protected and honored, but it will be a place where families can come together, where lessons can be taught, and where our culture and our traditions can be restored and preserved. It will also achieve a state goal of-- to drive tourism, especially to our rural communities, to tell the story of our shared heritage and honor a civil rights icon from Nebraska. The Ponca Nation is ready to work alongside the state to bring this worthy project to fruition. The Chief Standing Bear museum will be a vaunted attraction. Featuring over 22,000 square feet, the facility would include amenities such as the museum exhibit space, event space and conference rooms that would be open to the general public, recording studio allowing us to capture drumming, songs in our language, a theater room, courtyard cafe, a sculpture garden, a community kitchen, a children's library, gift shop, and much more. I humbly ask this committee to support LB491. I appreciate your time today and look forward to any questions the committee has. Wibtha'ha. Thank you.

CLEMENTS: Are there questions? Seeing none. Thank you for your testimony.

CANDACE SCHMIDT: Hopefully you guys all got to go see the tomahawk and the 3D model that's out there. It'll be here till 4:30. Thank you.

CLEMENTS: Are there additional proponents for LB491? Next proponent, please come forward. If you're planning to testify, come on to the front chairs, please. Good afternoon.

JUDI GAIASHKIBOS: Hello. Good afternoon, Chairman Clements and members of the Appropriations Committee. I was having a hard time hearing in the back there, so I'm going to try to speak up louder so everyone can hear. It's an honor to be here today on behalf of the Nebraska Commission on Indian Affairs. My name is Judy gaiashkibos. That is spelled J-u-d-i. My last name is g-a-i-a-s-h-k-i-b-o-s. And that again is Judi gaiashkibos. I wear many hats in life, as you all do as well. I am the Executive Director of the Commission on Indian Affairs, an honored member, citizen of the Ponca Tribe of Nebraska. And as I was listening to the testifiers, it made me stop and pause when I heard someone say decades of history, because I'm ending my third decade as-- serving as the director of the Commission on Indian Affairs. I started in 1995. And I am so pleased to still be serving in that capacity. So I can reflect on when I started to where we are today. The story of Standing Bear has become a really well-known story in our state,

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something that I think all Nebraskans are proud of. And it's a Nebraska story. It's not just the Ponca Tribe story. When I became the director, a dear friend of mine advised me to find something to develop and make that be the foundation of what our agency would do. And we're a noncode state agency tasked with advocac-- advocating on behalf of First Peoples and to help remove barriers to access for Native people. So as a First Person, I decided that this story, since it was from my tribe, would be that story. And since the beginning, so many things have happened that I never dreamed of. I didn't realize that we would have an opera for Standing Bear-- Wakonda's Dream, done by Opera Omaha-- a trail in southern Nebraska, books written by Joe Starita and others, a stamp by the U.S. Post Office, [INAUDIBLE] Standing Bear on Centennial Mall. I served on the board of-- Doane Board of Trustees as a graduate. And one of my dear friends, Don Miller Campbell, he never knew about the story of Standing Bear. It wasn't taught in the schools in Lincoln, or anywhere in the state. I wasn't taught about that growing up in Norfolk, Nebraska. It wasn't a part of our, you know, curriculum. So when Don Miller Campbell learned that story as a fellow trustee at Doane, he reached out to me in 2016 from Santa Fe. He was visiting his brother. And he said, Judi, I've got an idea. What do you think about having a bronze sculpture to celebrate Standing Bear in the St-- State Capitol? That was at Thanksgiving. And I was like-- manna from the heavens. Oh, yes, Don. I would love to have a sculpture of Standing Bear. So we were able to get the first sculpture done by Benjamin Victor in 2017. The Ponca Tribe followed with one up at Niobrara in 2018. And then in 2019, there was a bill introduced, LB807. It started off with being for Willa Cather. And when I read this in the paper that Burke Harr had introduced a bill for Willa Cather, I said, oh my gosh. This is what we want to do, to do for Standing Bear. But we were kind of taking a rest from the '17 and '18. But I got ahold of Senator Tom Brewer, who you all know-- our first Native American senator-- and said, Senator Brewer, we've got to amend on to the Willa Cather bill to get Standing Bear in Statuary Hall. So that's what we did. And I don't think Willa would have made it there without Standing Bear. And they were selected by the newspapers as the top two people in the whole state of Nebraska. So I see my light has come on, but I just want to summarize to say: today, I wore a pin. I know you're not supposed to have props at these hearings, but this pin was from the 2005 first-ever breakfast that I did here in Lincoln. We had started off with 400 attendees, and it grew to 700 when we ended having that. And from that, we have an endowed scholarship that we give each year for \$5,000 over at Lincoln Community Foundation. We also have a tribal license plate that we fund four \$5,000 scholarships in honor of Standing Bear. And we also have gone on to tell other stories, Nebraska stories. America's

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first Native American doctor, Susan La Flesche Picotte, grew up in Walthill, Nebraska. I have worked to help restore the hospital in Walthill. In 2017, we convened the first meeting. We've raised \$8 million to open that hospital. It will be reopened on June 14 in Walthill, Nebraska. And so from one story, we led to tell other stories that all Nebraskans can be proud of. And as you heard the Ponca Tribe, my relatives and colleagues, say, this-- what it equates for Nebraska is ecotourism, a reason why people want to come to the northeastern part of our state. The museum would allow us to have-- bring back all of those beautiful items that we've lost over the years. And I could go on and on for a long time.

CLEMENTS: That's your time.

JUDI GAIASHKIBOS: But I'm going end--

CLEMENTS: We'll see if there are any questions.

JUDI GAIASHKIBOS: --with answering questions for anyone.

CLEMENTS: Questions from the committee?

DOVER: Yeah. What do you have in your left hand?

JUDI GAIASHKIBOS: Oh. This morning when I woke up-- in my home, I have a little room that is for my family. It's our Standing Bear museum. And I have five grandchildren in 30 decades later. And they made this little sign that we put on our door, and it's the Standing Bear museum. They drew some little Berenstain Bears. When it's open and when it's closed. So I'm here to ask you all to support helping the Ponca Tribe in our state open a beautiful museum. You've seen the design. And what you are offering or could possibly offer would make my grandchildren's and all of our dreams come true and make Nebraska a really great state as we-- this is our homeland. We love this beautiful state. Our military men fight to protect the state. And so that's why we're here, to ask you for support.

CLEMENTS: Thank you. Are there questions? Senator Cavanaugh.

M. CAVANAUGH: Thank you. Thanks for being here. So if this museum were built, is-- there's also a, a movie being produced--

JUDI GAIASHKIBOS: That is right. And last night, I watched the Academy Awards, and I saw the winning movie that won Best Picture was done with \$6 million. And I think you all funded some fund-- moneys to the movie. And that will be--

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M. CAVANAUGH: It's based on the book I Am, I Am a Man.

JUDI GAIASHKIBOS: It is, yes. And the whole story of Standing Bear, done by Andrew Troy and Jim Sheridan, are the two coproducers of that.

M. CAVANAUGH: So I bring that up because-- well, it's kind of a silly comparison, but it's a comparison-- the very well-known Christmas Story movie. And-- A Christmas story, about--

JUDI GAIASHKIBOS: OK.

M. CAVANAUGH: Yeah.

JUDI GAIASHKIBOS: Mm-hmm.

M. CAVANAUGH: And the, the home of-- in that movie is actually a tourist attraction now. So if a Standing-- the Standing Bear movie becomes, you know, very well-regarded, it seems like having a Standing Bear museum would be a great tourist attraction for people across the country and the world who would see that. Not like the Christmas Story, but, you know, it is an example.

JUDI GAIASHKIBOS: I agree. Because when people see a movie, then they want to learn more. And where better to learn? And then that-- in the homelands of that great chief, Standing Bear, who is so beautifully displayed in the U.S. Capitol. I think it's-- Statuary Hall is so honored. Every time I see all these news stories, different services there, I-- when they had the inauguration and I saw Senator Fischer, it was right there by Standing Bear. [INAUDIBLE]. Oh, that is so wonderful. But that's a good connection, Senator, that you made.

M. CAVANAUGH: Thank you.

CLEMENTS: Are there quest-- Senator Spivey.

SPIVEY: Thank you, Chair, and thank you so much for being here. I had my ten-year-old son with me last week. He was out of school. And I, I let him explore the Capitol. And he actually went and learned about Standing Bear here, and he talked about what he saw and heard. And so I think you're absolutely right of, how do we continue to educate generations around people that have come from Nebraska that have had national and global impact? I think about the Malcolm X museum project happening and the adjacent district to mine and, and others. The-- and so I really appreciate you advocating and just lifting up the importance of not only Chief Standing Bear to indigenous populations but to Nebraskans and just, like, U.S. residents in general. So I just

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wanted to thank you for your time and just your advocacy over the, the tenure of your leadership.

JUDI GAIASHKIBOS: Thank you, Senator Spivey. And I'm sure you've heard-- many of you have heard the governor embrace the seven generations and the story of Standing Bear. So maybe he'll change his mind and support the funding for the museum.

CLEMENTS: I have a couple of questions.

JUDI GAIASHKIBOS: Sure, Senator.

CLEMENTS: Who will own the museum building that's on tribal land?

JUDI GAIASHKIBOS: That, I guess, would be a question for the tribe, but I think that it would be owned by the, the tribe.

CLEMENTS: And who would pay for utilities and maintenance of the building?

JUDI GAIASHKIBOS: The tribe.

CLEMENTS: All right. Thank you. Questions? Seeing none. Thank you for your testimony.

JUDI GAIASHKIBOS: I'll be back on Thursday, so some of this might be a repeat--

CLEMENTS: All right. Next proponent for LB491, please.

JOE STARITA: Has the caffeine worn off?

CLEMENTS: No. Welcome.

JOE STARITA: Yes. Well, thank you very much for the opportunity to speak to you. Welcome, Senator Clements and the members of the Appropriations Board. My name is Joe Starita. And I am here to support--

CLEMENTS: Could you spell that, please?

JOE STARITA: I-- J-o-e S-t-a-r-i-t-a. And I'm here in support of a museum to honor a great Nebraskan: Chief Standing Bear. I thought I would provide just a little bit of historical perspective just to make sure that everybody understands what an extraordinary Nebraskan this is and why there is a justification to honor him with a museum. On Christmas week of 1878, Standing Bear's only son, a 16-year-old boy by

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the name of Bear Shield, lay curled up in a fetal position on the, on the, on the bottom of a cheap Army canvas tent in northern Oklahoma dying of tuberculosis. But before his eyes closed in death, he begged his father, Chief Standing Bear, to take his remains to their sacred homeland along the Niobrara River in northeast Nebraska. On the afternoon of January 2, 1879, about 1:00, the morning they came in at 19 below zero. Standing Bear dressed his only son in his best clothes, wrapped him in a buffalo robe, put him in the back of a spring-loaded wagon, and he and 29 others began walking into a Canadian blizzard. The morning temperature came in at 19 below zero. They had very little food, very little clothing, and they started walking on a 500-mile journey to honor the death pledge that Standing Bear had given to his son, Bear Shield. They rummaged for field corn in the open. They dug into haystacks at night to keep the children from freezing. There were 30 altogether in the party: 9 men and 21 women and children. They kept going day after day, week after week. Sometimes farmers would feel so sorry for them that they would bring them chunks of beef and meat and keep them going. And finally, after a little bit more than two months, they arrived on the Omaha reservation, their friends and relatives. And the Omaha were shocked at what they saw. And it wasn't long before the word got out to the U.S. Army headquarters in Omaha that the Ponca had left their reservation in Oklahoma without permission. And after two months and about ten days, they arrived with their friends and relatives to the Omaha reservation. Wasn't long before federal troops came out of the U.S. fort in Omaha. They cor-- they corralled the Ponca and they marched them back to Fort Omaha and put them in jail. Standing on the steps that morning in late March of 1879 was Brigadier General George Crook, a West Point graduate, a Civil War hero, the head of all western-- the-- all, all, all Army troops-- military troops west of the Mississippi. He stood on the steps of his porch, and he watched as these 30 Ponca straggled across the lower parade ground on their way to prison. And he was shocked and horrified at what he saw. What he saw were women whose elbows had skin that was hanging in clumps like charred bacon. They were so severely frostbitten on the walk from Oklahoma to, to the Omaha reservation. He saw people who were barely able to, to stand up, children who were severely malnourished. And he cabled his superior in Chicago, Lieutenant General Philip Sheridan, a man who had a few years earlier said the only good Indian is a dead Indian. And General Crook in Omaha asked Sheridan in Chicago, I've got 30 Ponca prisoners here who illegally escaped from their reservation in Oklahoma without permission. What should I do? His orders were to turn their faces south, march them back from where they came the next day, which threw General Crook into a crisis. What to do? He knew in his moral conscience that that would be a death sentence. He also knew in

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his military conscience what the re-- what the re-- re-- you know, responsibilities were to obeying a, a commanding general. So he saddled his horse after midnight that night, road to three miles south of Fort Omaha, talked to a reporter for the Omaha World-Herald, told him the story. And this whole, this whole thing you couldn't make up. William Faulkner, Shakespeare, our finest fiction writers could not make up this story of the things that had to fall into place to get Standing Bear into a federal courtroom at 15th and Dodge Streets in the spring of 1879, where-- there is now a hotel. But in 1879, it was a federal courthouse. And the judge ultimately after hearing Standing Bear's story from Standing Bear himself, that col-- hand is not the color of yours, but if I pierce it, I shall feel pain. If you pierce your hand, you also will feel pain. The blood that will flow from mine will be the same as the color from yours. I am a man. The same God made us both. And this was a judge who also had a son-- a son, who, as it turned out, built Coney Island Amusement Park in, in New York. And he understood the bond and the love affair between a father and a son. And he made this extraordinary ruling that had never been done before in the history of the United States. 22 years early, a slave had gone into a federal court in St. Louis and demanded his freedom-- a case that went all the way to the Supreme Court-- and he was denied in a famous 7-2 vote in which the Supreme Court Justice Roger Taney famously said in his opinion that a Negro has no rights a white man is bound to respect.

CLEMENTS: That's your time.

JOE STARITA: 22 years later--

CLEMENTS: Yeah. Could you wrap up there? That's your time.

JOE STARITA: Yeah. We have, we have this extraordinary decision that comes out of this courthouse in Omaha 22 years after a African-American asked for his freedom, 41 years before women could vote in their own country. So it's a very-- it's, it's, it's so far removed from the standard means that it's hard to put this decision of the judge in perspective. And he did it because of what Standing Bear stood for, of what Standing Bear did. Who walks 500 miles in the dead of winter to honor a pledge? Standing Bear did.

CLEMENTS: We'll see if the committee has questions.

JOE STARITA: And that's why I think it's appropriate to have a museum to honor this man who never could have dreamed that in this 500-mile walk that one day there would be four statues named of him, the U.S. Postal Service would issue a federal stamp in his honor. There is now a

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movie being made in Hollywood that is going to tell this story on the big screen. So a museum perhaps is not out of order for this extraordinary Nebraskan. And I thank you. And I'm sorry I went on longer than I should have. I apologize.

CLEMENTS: Very interesting story, sir. Thank you for your testimony.

JOE STARITA: Any questions?

CLEMENTS: Seeing none.

JOE STARITA: Ready to leave. OK.

CLEMENTS: Are there other proponents for--

JOE STARITA: Thank you.

CLEMENTS: --LB491? Seeing none. Oh, there is one. I might say I haven't seen the tomahawk. I'd appreciate it if you could keep it there till we're done. Welcome.

GREGG WRIGHT: I'll be very short. My name is Gregg Wright. That's G-r-e-g-g. And Wright is W-r-i-g-h-t. I am a board member of a new nonprofit corporation in Nebraska, which is the Chief Standing Bear Project. And we are a national program to give a prize for a courageous-- to a courageous Native American in this country every year. The, the prize is a statue just like the one in our Capitol of only this high and a, a, a monetary reward. And we're only three years old, but Standing Bear's story is so compelling that we, we hope that this prize will also further, further that memory. And the one thing I-- that got me to the-- here is just to, to add to Joe Starita's comments that this was the first time that American court said that Native Americans were people. It's a little hard to get your head around that. But until that decision, the first am-- or, the, the U.S. Constitution didn't apply because they weren't people. It's a constitution for the people of America. And obviously, that's a milestone that we should all celebrate. And Standing Bear is a person that we should make sure people know about. And to come to Nebraska for whatever reason, they get here and find that there's a museum drivable distance up into a very pretty part of the country. We already know that the museum out in western Nebraska draws lots of people. And it, it's a, it's a really-- a place-- a destination for people to come and camp in the, in the area, from Colorado, Wyoming, the Dakotas, and-- so I, I just think this kind of museum is a really important step for Nebraska to tell our story to the rest of the country.

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CLEMENTS: All right. Are there questions? Seeing none. Thank you for your testimony.

GREGG WRIGHT: Thank you.

CLEMENTS: Are the other proponents for LB491? Seeing none. Is anyone here in opposition? Seeing none. Anyone wishing to testify in the neutral position? Seeing none. Senator DeKay.

DeKAY: Thank you again for having this hearing today. A little bit of my history about reading about Chief Standing Bear. He was a civil rights leader, and he did, did it by being dignified and composed in his actions with everybody he interacted with. And again, LB491 with the proposed amendment, AM467, seeks to appropriate up to \$7 million in the upcoming 2025-26 fiscal years and up to \$7 million in the following '26-27 fiscal year into the Museum Construction and Maintenance Fund to construct the facilities. Representatives from the Ponca Tribe of Nebraska testified today, and you heard very compelling stories. The Game and Parks also commi-- submitted a letter to the committee and should consider [INAUDIBLE]. I would be happy to answer any questions. And with that, if we need to wait a year before we appropriate \$7 million or whatever to get this project going, we would be willing to work with this committee on that. I would think we should consider in preserving and honoring that. And with that, I will try to answer any questions you might have. Thank you.

CLEMENTS: Questions? Seeing none. Thank you, Senator DeKay. We have comments for the record: proponents, 2; opponents, 0; neutral, 1. That concludes the testimony-- hearing for LB491. And that concludes our committee hearing for today.