

FORUM: Historic moment for county, Rincon band

By: Bo Mazzetti | Posted: Wednesday, October 26, 2011 12:00 pm

Something new happened on Oct. 11, 2011. For the first time in the history of San Diego County and the State of California, an American Indian tribe voluntarily offered to share gaming revenues with a non-Indian government.

And, it was the first time the county, led by Board of Supervisors Chairman Bill Horn, and a tribe reached an agreement that was a voluntary negotiation, requiring compromise, and a new spirit of cooperation.

The big winners were North County residents, the recipients of Rincon's revenue-sharing fund, which is dedicated to improving roads and transportation, fire and police protection, and reducing gambling addiction.

It was historic, but symbolized and legitimized so much more. From the creation of California and its county subdivisions, tribal governments were shunned as meaningful institutions, even when recognized by the federal government as sovereign nations, equals to states.

Like the public, elected officials ignored Indians as anachronisms, a conquered people, remnants of another time with no relationship to modern times. And, so it seemed to be our fate to be ignored, powerless and penniless. As a result, state and local governments got so used to ignoring tribal governmental sovereignty that it became habitual.

Indian gaming in the 1990s began to change all that. It was the economic catalyst that sparked the renaissance of tribal governments. Still, even today some refuse to accept, or recognize that tribes have the legal right to govern our lands and are meant to be the primary recipients of casino gaming revenues.

Thus began the power struggle over tribal gaming revenues. Gov. Arnold Schwarzenegger ignored the concept of negotiating with tribes as governments, preferring to demand what he wanted, like one of his predecessors Pete Wilson.

An illegal practice for which my tribe, the Rincon Band of Luiseno Indians, took him to court. All the way to the U.S. Supreme Court, where the federal law that oversees tribal and state compacts was upheld. Schwarzenegger was chastised by the courts for his failure to negotiate in "good faith" and "illegal taxation."

So what happened on Oct 11?

County supervisors, championed by Chairman Horn, signed an agreement with the Rincon band. An agreement whereby the tribe pays any revenue sharing negotiated with the state, will go to the county into the Rincon Benefit Sharing Fund, rather than to the state treasury.

Chairman Horn led the county in negotiations with the tribe. He believes, like the Rincon band, that tribal fees should go to the communities that share the impacts of gaming,

Funding services that are mutually beneficial to our neighbors and the tribal community is a practical and responsible. We drive the same bad roads and will also benefit from improved fire and sheriff's protection.

A tribe and the county voluntarily, cooperating, and compromising on both sides of the negotiation table to come to an agreement over an exchange of money is notable and historic.

And, while the dollar amount can't be known until our negotiations with the governor are finalized and the preliminary agreement cannot be executed until the state signs on with legislative approval, the agreement reflects an new attitude of trust and respect, which is appreciated by our tribal government and tribal leaders throughout the state.