

Introduced by Senator BattinFebruary 20, 2002

An act to repeal Sections 12012.25, 12012.5, 12012.75, and 12012.85 of, and to add Chapter 8 (commencing with Section 12720) to Part 2 of Division 3 of Title 2 of, the Government Code, relating to tribal gaming.

LEGISLATIVE COUNSEL'S DIGEST

SB 1549, as introduced, Battin. Indian gaming: improvements: funding.

Existing law creates in the State Treasury the Indian Gaming Special Distribution Fund for the receipt and deposit of moneys received by the state from Indian tribes pursuant to the terms of tribal-state gaming compacts. Existing law authorizes moneys in the fund to be appropriated by the Legislature for certain purposes, including grants for programs designed to address gambling addiction, grants for the support of state and local government agencies impacted by tribal government gaming, and compensation for regulatory costs incurred by the State Gaming Agency and the Department of Justice in connection with the implementation and administration of tribal-state gaming compacts.

This bill would create the Indian Gaming Improvement Commission composed of 7 members and appointed as specified. The bill would make the Indian Gaming Improvement Commission responsible for determining the eligibility of requests for appropriations of moneys from the Indian Gaming Special Distribution Fund. The bill would require the commission to provide, by May 1 of each year, the committees of each house of the Legislature that consider the annual Budget Bill with the list of requests it recommends to receive funding.



Existing law ratifies certain tribal-state compacts executed in 1998 between various tribal governments and the State of California in accordance with the federal Indian Gaming Regulatory Act of 1988. Those compacts have been replaced by compacts ratified in 1999.

This bill would repeal that obsolete ratification.

The bill also would reorganize existing provisions relating to tribal gaming.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12012.25 of the Government Code is
 2 repealed.
 3 ~~12012.25. (a) The following tribal-state gaming compacts~~
 4 ~~entered into in accordance with the Indian Gaming Regulatory Act~~
 5 ~~of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec.~~
 6 ~~2701 et seq.) are hereby ratified:~~
 7 ~~(1) The compact between the State of California and the~~
 8 ~~Alturas Rancheria, executed on September 10, 1999.~~
 9 ~~(2) The compact between the State of California and the~~
 10 ~~Barona Band of Mission Indians, executed on September 10, 1999.~~
 11 ~~(3) The compact between the State of California and the Big~~
 12 ~~Sandy Rancheria Band of Mono Indians, executed on September~~
 13 ~~10, 1999.~~
 14 ~~(4) The compact between the State of California and the Big~~
 15 ~~Valley Rancheria, executed on September 10, 1999.~~
 16 ~~(5) The compact between the State of California and the Bishop~~
 17 ~~Paiute Tribe, executed on September 10, 1999.~~
 18 ~~(6) The compact between the State of California and the Blue~~
 19 ~~Lake Rancheria, executed on September 10, 1999.~~
 20 ~~(7) The compact between the State of California and the Buena~~
 21 ~~Vista Band of Me-wuk Indians, executed on September 10, 1999.~~
 22 ~~(8) The compact between the State of California and the~~
 23 ~~Cabazon Band of Mission Indians, executed on September 10,~~
 24 ~~1999.~~
 25 ~~(9) The compact between the State of California and the Cahto~~
 26 ~~Tribe of Laytonville, executed on September 10, 1999.~~



- 1 ~~(10) The compact between the State of California and the~~
2 ~~Cahuilla Band of Mission Indians, executed on September 10,~~
3 ~~1999.~~
- 4 ~~(11) The compact between the State of California and the~~
5 ~~Campo Band of Mission Indians, executed on September 10, 1999.~~
- 6 ~~(12) The compact between the State of California and the~~
7 ~~Chemehuevi Indian Tribe, executed on September 10, 1999.~~
- 8 ~~(13) The compact between the State of California and the~~
9 ~~Chicken Ranch Rancheria, executed on September 10, 1999.~~
- 10 ~~(14) The compact between the State of California and the Coast~~
11 ~~Indian Community of the Resighini Rancheria, executed on~~
12 ~~September 10, 1999.~~
- 13 ~~(15) The compact between the State of California and the~~
14 ~~Colusa Indian Community, executed on September 10, 1999.~~
- 15 ~~(16) The compact between the State of California and the Dry~~
16 ~~Creek Rancheria Band of Pomo Indians, executed on September~~
17 ~~10, 1999.~~
- 18 ~~(17) The compact between the State of California and the Elk~~
19 ~~Valley Rancheria, executed on September 10, 1999.~~
- 20 ~~(18) The compact between the State of California and the~~
21 ~~Ewiiapaayp Band of Kumeayaay, executed on September 10,~~
22 ~~1999.~~
- 23 ~~(19) The compact between the State of California and the~~
24 ~~Hoopa Valley Tribe, executed on September 10, 1999.~~
- 25 ~~(20) The compact between the State of California and the~~
26 ~~Hopland Band of Pomo Indians, executed on September 10, 1999.~~
- 27 ~~(21) The compact between the State of California and the~~
28 ~~Jackson Band of Mi Wuk Indians, executed on September 10,~~
29 ~~1999.~~
- 30 ~~(22) The compact between the State of California and the~~
31 ~~Jamul Indian Reservation, executed on September 10, 1999.~~
- 32 ~~(23) The compact between the State of California and the La~~
33 ~~Jolla Indian Reservation, executed on September 10, 1999.~~
- 34 ~~(24) The compact between the State of California and the~~
35 ~~Manzanita Tribe of Kumeayaay Indians, executed on September~~
36 ~~10, 1999.~~
- 37 ~~(25) The compact between the State of California and the Mesa~~
38 ~~Grande Band of Mission Indians, executed on September 10,~~
39 ~~1999.~~



- 1 ~~(26) The compact between the State of California and the~~
2 ~~Middletown Rancheria Band of Pomo Indians, executed on~~
3 ~~September 10, 1999.~~
4 ~~(27) The compact between the State of California and the~~
5 ~~Morongo Band of Mission Indians, executed on September 10,~~
6 ~~1999.~~
7 ~~(28) The compact between the State of California and the~~
8 ~~Mooretown Rancheria Concow Maidu Tribe, executed on~~
9 ~~September 10, 1999.~~
10 ~~(29) The compact between the State of California and the Pala~~
11 ~~Band of Mission Indians, executed on September 10, 1999.~~
12 ~~(30) The compact between the State of California and the~~
13 ~~Paskenta Band of Nomlaki Indians, executed on September 10,~~
14 ~~1999.~~
15 ~~(31) The compact between the State of California and the~~
16 ~~Pechanga Band of Luiseno Indians, executed on September 10,~~
17 ~~1999.~~
18 ~~(32) The compact between the State of California and the~~
19 ~~Picayune Rancheria of Chukehansi Indians, executed on~~
20 ~~September 10, 1999.~~
21 ~~(33) The compact between the State of California and the~~
22 ~~Quechan Nation, executed on September 10, 1999.~~
23 ~~(34) The compact between the State of California and the~~
24 ~~Redding Rancheria, executed on September 10, 1999.~~
25 ~~(35) The compact between the State of California and the~~
26 ~~Rineon, San Luiseno Band of Mission Indians, executed on~~
27 ~~September 10, 1999.~~
28 ~~(36) The compact between the State of California and the~~
29 ~~Rumsey Band of Wintun Indians, executed on September 10,~~
30 ~~1999.~~
31 ~~(37) The compact between the State of California and the~~
32 ~~Robinson Rancheria Band of Pomo Indians, executed on~~
33 ~~September 10, 1999.~~
34 ~~(38) The compact between the State of California and the~~
35 ~~Rohnerville Rancheria, executed on September 10, 1999.~~
36 ~~(39) The compact between the State of California and the San~~
37 ~~Manuel Band of Mission Indians, executed on September 10,~~
38 ~~1999.~~



- 1 ~~(40) The compact between the State of California and the San~~
2 ~~Pasqual Band of Mission Indians, executed on September 10,~~
3 ~~1999.~~
- 4 ~~(41) The compact between the State of California and the Santa~~
5 ~~Rosa Rancheria Tachi Tribe, executed on September 10, 1999.~~
- 6 ~~(42) The compact between the State of California and the Santa~~
7 ~~Ynez Band of Chumash Indians, executed on September 10, 1999.~~
- 8 ~~(43) The compact between the State of California and the~~
9 ~~Sherwood Valley Rancheria Band of Pomo Indians, executed on~~
10 ~~September 10, 1999.~~
- 11 ~~(44) The compact between the State of California and the~~
12 ~~Shingle Springs Band of Miwok Indians, executed on September~~
13 ~~10, 1999.~~
- 14 ~~(45) The compact between the State of California and the~~
15 ~~Smith River Rancheria, executed on September 10, 1999.~~
- 16 ~~(46) The compact between the State of California and the~~
17 ~~Soboba Band of Mission Indians, executed on September 10,~~
18 ~~1999.~~
- 19 ~~(47) The compact between the State of California and the~~
20 ~~Susanville Indian Rancheria, executed on September 10, 1999.~~
- 21 ~~(48) The compact between the State of California and the~~
22 ~~Sycuan Band of Kumeyaay Indians, executed on September 10,~~
23 ~~1999.~~
- 24 ~~(49) The compact between the State of California and the Table~~
25 ~~Mountain Rancheria, executed on September 10, 1999.~~
- 26 ~~(50) The compact between the State of California and the~~
27 ~~Trinidad Rancheria, executed on September 10, 1999.~~
- 28 ~~(51) The compact between the State of California and the Tule~~
29 ~~River Indian Tribe, executed on September 10, 1999.~~
- 30 ~~(52) The compact between the State of California and the~~
31 ~~Tuolumne Band of Me-wuk Indians, executed on September 10,~~
32 ~~1999.~~
- 33 ~~(53) The compact between the State of California and the~~
34 ~~Twenty Nine Palms Band of Mission Indians, executed on~~
35 ~~September 10, 1999.~~
- 36 ~~(54) The compact between the State of California and the Tyme~~
37 ~~Maidu Tribe, Berry Creek Rancheria, executed on September 10,~~
38 ~~1999.~~



1 ~~(55) The compact between the State of California and the~~
2 ~~United Auburn Indian Community, executed on September 10,~~
3 ~~1999.~~

4 ~~(56) The compact between the State of California and the~~
5 ~~Viejas Band of Kumeyaay Indians, executed on September 10,~~
6 ~~1999.~~

7 ~~(57) The compact between the State of California and the~~
8 ~~Coyote Valley Band of Pomo Indians, executed on September 10,~~
9 ~~1999.~~

10 ~~(b) Any other tribal-state gaming compact entered into~~
11 ~~between the State of California and a federally recognized Indian~~
12 ~~tribe which is executed after September 10, 1999, is hereby ratified~~
13 ~~if both of the following are true:~~

14 ~~(1) The compact is identical in all material respects to any of the~~
15 ~~compacts expressly ratified pursuant to subdivision (a). A compact~~
16 ~~shall be deemed to be materially identical to a compact ratified~~
17 ~~pursuant to subdivision (a) if the Governor certifies it is materially~~
18 ~~identical at the time he or she submits it to the Legislature.~~

19 ~~(2) The compact is not rejected by each house of the~~
20 ~~Legislature, two-thirds of the membership thereof concurring,~~
21 ~~within 30 days of the date of the submission of the compact to the~~
22 ~~Legislature by the Governor. However, if the 30-day period ends~~
23 ~~during a joint recess of the Legislature, the period shall be~~
24 ~~extended until the fifteenth day following the day on which the~~
25 ~~Legislature reconvenes.~~

26 ~~(c) The Legislature acknowledges the right of federally~~
27 ~~recognized Indian tribes to exercise their sovereignty to negotiate~~
28 ~~and enter into tribal-state gaming compacts that are materially~~
29 ~~different from the compacts ratified pursuant to subdivision (a).~~
30 ~~These compacts shall be ratified by a statute approved by each~~
31 ~~house of the Legislature, a majority of the members thereof~~
32 ~~concurring, and signed by the Governor, unless the statute contains~~
33 ~~implementing or other provisions requiring a supermajority vote,~~
34 ~~in which case the statute shall be approved in the manner required~~
35 ~~by the Constitution.~~

36 ~~(d) The Governor is the designated state officer responsible for~~
37 ~~negotiating and executing, on behalf of the state, tribal-state~~
38 ~~gaming compacts with federally recognized Indian tribes located~~
39 ~~within the State of California pursuant to the federal Indian~~
40 ~~Gaming Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168;~~



1 ~~incl., and 25 U.S.C. Sec. 2701 et seq.) for the purpose of~~
2 ~~authorizing class III gaming, as defined in that act, on Indian lands~~
3 ~~within this state. Nothing in this section shall be construed to deny~~
4 ~~the existence of the Governor's authority to have negotiated and~~
5 ~~executed tribal-state gaming compacts prior to the effective date~~
6 ~~of this section.~~

7 ~~(e) Following completion of negotiations conducted pursuant~~
8 ~~to subdivision (b) or (c), the Governor shall submit a copy of any~~
9 ~~executed tribal-state compact to both houses of the Legislature for~~
10 ~~ratification, and shall submit a copy of the executed compact to the~~
11 ~~Secretary of State for purposes of subdivision (f).~~

12 ~~(f) Upon receipt of a statute ratifying a tribal-state compact~~
13 ~~negotiated and executed pursuant to subdivision (c), or upon the~~
14 ~~expiration of the review period described in subdivision (b), the~~
15 ~~Secretary of State shall forward a copy of the executed compact~~
16 ~~and the ratifying statute, if applicable, to the Secretary of the~~
17 ~~Interior for his or her review and approval, in accordance with~~
18 ~~paragraph (8) of subsection (d) of Section 2710 of Title 25 of the~~
19 ~~United States Code.~~

20 ~~(g) In deference to tribal sovereignty, neither the execution of~~
21 ~~a tribal-state gaming compact nor the on-reservation impacts of~~
22 ~~compliance with the terms of a tribal-state gaming compact shall~~
23 ~~be deemed to constitute a project for purposes of the California~~
24 ~~Environmental Quality Act (Division 13 (commencing with~~
25 ~~Section 21000) of the Public Resources Code).~~

26 SEC. 2. Section 12012.5 of the Government Code is repealed.

27 ~~12012.5.—(a) The following tribal-state compacts entered in~~
28 ~~accordance with the Indian Gaming Regulatory Act of 1988 (18~~
29 ~~U.S.C. Sec. 1166 et seq. and 25 U.S.C. Sec. 2701 et seq.) are~~
30 ~~hereby ratified:~~

31 ~~(1) The compact between the State of California and the~~
32 ~~Barona Band of Mission Indians, executed on August 12, 1998.~~

33 ~~(2) The compact between the State of California and the Big~~
34 ~~Sandy Rancheria of Mono Indians, executed on July 20, 1998.~~

35 ~~(3) The compact between the State of California and the~~
36 ~~Cher-Ae Heights Indian Community of Trinidad Rancheria,~~
37 ~~executed on July 13, 1998.~~

38 ~~(4) The compact between the State of California and the~~
39 ~~Jackson Rancheria Band of Miwuk Indians, executed on July 13,~~
40 ~~1998.~~



1 ~~(5) The compact between the State of California and the~~
2 ~~Mooretown Rancheria of Coneow/Maidu Indians, executed on~~
3 ~~July 13, 1998.~~

4 ~~(6) The compact between the State of California and the Pala~~
5 ~~Band of Mission Indians, as approved by the Secretary of the~~
6 ~~Interior on April 25, 1998.~~

7 ~~(7) The compact between the State of California and the~~
8 ~~Redding Rancheria, executed on August 11, 1998.~~

9 ~~(8) The compact between the State of California and the~~
10 ~~Rumsey Indian Rancheria of Wintun Indians of California,~~
11 ~~executed on July 13, 1998.~~

12 ~~(9) The compact between the State of California and the~~
13 ~~Sycuan Band of Mission Indians, executed on August 12, 1998.~~

14 ~~(10) The compact between the State of California and the Table~~
15 ~~Mountain Rancheria, executed on July 13, 1998.~~

16 ~~(11) The compact between the State of California and the~~
17 ~~Viejas Band of Kumeyaay Indians, executed on or about August~~
18 ~~17, 1998.~~

19 ~~The terms of each compact apply only to the State of California~~
20 ~~and the tribe that has signed it, and the terms of these compacts do~~
21 ~~not bind any tribe that is not a signatory to any of the compacts.~~

22 ~~(b) Any other compact entered into between the State of~~
23 ~~California and any other federally recognized Indian tribe which~~
24 ~~is executed after August 24, 1998, is hereby ratified if (1) the~~
25 ~~compact is identical in all material respects to any of the compacts~~
26 ~~ratified pursuant to subdivision (a), and (2) the compact is not~~
27 ~~rejected by each house of the Legislature, two-thirds of the~~
28 ~~membership thereof concurring, within 30 days of the date of the~~
29 ~~submission of the compact to the Legislature by the Governor.~~
30 ~~However, if the 30-day period ends during a joint recess of the~~
31 ~~Legislature, the period shall be extended until the fifteenth day~~
32 ~~following the day on which the Legislature reconvenes. A compact~~
33 ~~will be deemed to be materially identical to a compact ratified~~
34 ~~pursuant to subdivision (a) if the Governor certifies that it is~~
35 ~~materially identical at the time he or she submits it to the~~
36 ~~Legislature.~~

37 ~~(c) The Legislature acknowledges the right of federally~~
38 ~~recognized tribes to exercise their sovereignty to negotiate and~~
39 ~~enter into compacts with the state that are materially different from~~
40 ~~the compacts ratified pursuant to subdivision (a). These compacts~~



1 shall be ratified upon approval of each house of the Legislature, a
2 majority of the membership thereof concurring.

3 (d) The Governor is the designated state officer responsible for
4 negotiating and executing, on behalf of the state, tribal state
5 gaming compacts with federally recognized Indian tribes in the
6 State of California pursuant to the federal Indian Gaming
7 Regulatory Act of 1988 (18 U.S.C. Sec. 1166 et seq. and 25 U.S.C.
8 Sec. 2701 et seq.) for the purpose of authorizing class III gaming,
9 as defined in that act, on Indian lands. Nothing in this section shall
10 be construed to deny the existence of the Governor's authority to
11 have negotiated and executed tribal state compacts prior to the
12 effective date of this section.

13 (e) The Governor is authorized to waive the state's immunity
14 to suit in federal court in connection with any compact negotiated
15 with an Indian tribe or any action brought by an Indian tribe under
16 the Indian Gaming Regulatory Act (18 U.S.C. Sec. 1166 et seq.
17 and 25 U.S.C. Sec. 2701 et seq.).

18 (f) In deference to tribal sovereignty, the execution of, and
19 compliance with the terms of, any compact specified under
20 subdivision (a) or (b) shall not be deemed to constitute a project
21 for purposes of the California Environmental Quality Act
22 (Division 13 (commencing with Section 21000) of the Public
23 Resources Code).

24 (g) Nothing in this section shall be interpreted to authorize the
25 unilateral imposition of a statewide limit on the number of lottery
26 devices or of any allocation system for lottery devices on any
27 Indian tribe that has not entered into a compact that provides for
28 such a limit or allocation system. Each tribe may negotiate
29 separately with the state over these matters on a
30 government-to-government basis.

31 SEC. 3. Section 12012.75 of the Government Code is
32 repealed.

33 12012.75. There is hereby created in the State Treasury a
34 special fund called the "Indian Gaming Revenue Sharing Trust
35 Fund" for the receipt and deposit of moneys derived from gaming
36 device license fees that are paid into the fund pursuant to the terms
37 of tribal state gaming compacts for the purpose of making
38 distributions to noncompact tribes. Moneys in the Indian Gaming
39 Revenue Sharing Trust Fund shall be available to the California
40 Gambling Control Commission, upon appropriation by the



1 ~~Legislature, for the purpose of making distributions to~~
2 ~~noncompact tribes, in accordance with distribution plans specified~~
3 ~~in tribal state gaming compacts.~~

4 SEC. 4. Section 12012.85 of the Government Code is
5 repealed.

6 ~~12012.85.—There is hereby created in the State Treasury a fund~~
7 ~~called the “Indian Gaming Special Distribution Fund” for the~~
8 ~~receipt and deposit of moneys received by the state from Indian~~
9 ~~tribes pursuant to the terms of tribal state gaming compacts. These~~
10 ~~moneys shall be available for appropriation by the Legislature for~~
11 ~~the following purposes:~~

12 ~~(a) Grants, including any administrative costs, for programs~~
13 ~~designed to address gambling addiction.~~

14 ~~(b) Grants, including any administrative costs, for the support~~
15 ~~of state and local government agencies impacted by tribal~~
16 ~~government gaming.~~

17 ~~(c) Compensation for regulatory costs incurred by the State~~
18 ~~Gaming Agency and the Department of Justice in connection with~~
19 ~~the implementation and administration of tribal state gaming~~
20 ~~compacts.~~

21 ~~(d) Disbursements for the purpose of implementing the terms~~
22 ~~of tribal labor relations ordinances promulgated in accordance~~
23 ~~with the terms of tribal state gaming compacts ratified pursuant to~~
24 ~~Chapter 874 of the Statutes of 1999. No more than 10 percent of~~
25 ~~the funds appropriated in the Budget Act of 2000 for~~
26 ~~implementation of tribal labor relations ordinances promulgated~~
27 ~~in accordance with those compacts shall be expended in the~~
28 ~~selection of the Tribal Labor Panel. The Department of Personnel~~
29 ~~Administration shall consult with and seek input from the parties~~
30 ~~prior to any expenditure for purposes of selecting the Tribal Labor~~
31 ~~Panel. Other than the cost of selecting the Tribal Labor Panel, there~~
32 ~~shall be no further disbursements until the Tribal Labor Panel,~~
33 ~~which is selected by mutual agreement of the parties, is in place.~~

34 ~~(e) Any other purpose specified by law.~~

35 SEC. 5. Chapter 8 (commencing with Section 12720) is added
36 to Part 2 of Division 3 of Title 2 of the Government Code, to read:
37



1 CHAPTER 8. NATIVE AMERICAN GAMING COMPACTS

2
3 12720. (a) The following tribal-state gaming compacts
4 entered into in accordance with the Indian Gaming Regulatory Act
5 of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec.
6 2701 et seq.) are hereby ratified:

7 (1) The compact between the State of California and the
8 Alturas Rancheria, executed on September 10, 1999.

9 (2) The compact between the State of California and the
10 Barona Band of Mission Indians, executed on September 10, 1999.

11 (3) The compact between the State of California and the Big
12 Sandy Rancheria Band of Mono Indians, executed on September
13 10, 1999.

14 (4) The compact between the State of California and the Big
15 Valley Rancheria, executed on September 10, 1999.

16 (5) The compact between the State of California and the Bishop
17 Paiute Tribe, executed on September 10, 1999.

18 (6) The compact between the State of California and the Blue
19 Lake Rancheria, executed on September 10, 1999.

20 (7) The compact between the State of California and the Buena
21 Vista Band of Me-wuk Indians, executed on September 10, 1999.

22 (8) The compact between the State of California and the
23 Cabazon Band of Mission Indians, executed on September 10,
24 1999.

25 (9) The compact between the State of California and the Cahto
26 Tribe of Laytonville, executed on September 10, 1999.

27 (10) The compact between the State of California and the
28 Cahuilla Band of Mission Indians, executed on September 10,
29 1999.

30 (11) The compact between the State of California and the
31 Campo Band of Mission Indians, executed on September 10, 1999.

32 (12) The compact between the State of California and the
33 Chemehuevi Indian Tribe, executed on September 10, 1999.

34 (13) The compact between the State of California and the
35 Chicken Ranch Rancheria, executed on September 10, 1999.

36 (14) The compact between the State of California and the Coast
37 Indian Community of the Resighini Rancheria, executed on
38 September 10, 1999.

39 (15) The compact between the State of California and the
40 Colusa Indian Community, executed on September 10, 1999.

- 1 (16) The compact between the State of California and the Dry
2 Creek Rancheria Band of Pomo Indians, executed on September
3 10, 1999.
- 4 (17) The compact between the State of California and the Elk
5 Valley Rancheria, executed on September 10, 1999.
- 6 (18) The compact between the State of California and the
7 Ewiiapaayp Band of Kumeyaay, executed on September 10,
8 1999.
- 9 (19) The compact between the State of California and the
10 Hoopa Valley Tribe, executed on September 10, 1999.
- 11 (20) The compact between the State of California and the
12 Hopland Band of Pomo Indians, executed on September 10, 1999.
- 13 (21) The compact between the State of California and the
14 Jackson Band of Mi-Wuk Indians, executed on September 10,
15 1999.
- 16 (22) The compact between the State of California and the
17 Jamul Indian Reservation, executed on September 10, 1999.
- 18 (23) The compact between the State of California and the La
19 Jolla Indian Reservation, executed on September 10, 1999.
- 20 (24) The compact between the State of California and the
21 Manzanita Tribe of Kumeyaay Indians, executed on September
22 10, 1999.
- 23 (25) The compact between the State of California and the Mesa
24 Grande Band of Mission Indians, executed on September 10,
25 1999.
- 26 (26) The compact between the State of California and the
27 Middletown Rancheria Band of Pomo Indians, executed on
28 September 10, 1999.
- 29 (27) The compact between the State of California and the
30 Morongo Band of Mission Indians, executed on September 10,
31 1999.
- 32 (28) The compact between the State of California and the
33 Mooretown Rancheria Concow Maidu Tribe, executed on
34 September 10, 1999.
- 35 (29) The compact between the State of California and the Pala
36 Band of Mission Indians, executed on September 10, 1999.
- 37 (30) The compact between the State of California and the
38 Paskenta Band of Nomlaki Indians, executed on September 10,
39 1999.



1 (31) The compact between the State of California and the
2 Pechanga Band of Luiseno Indians, executed on September 10,
3 1999.

4 (32) The compact between the State of California and the
5 Picayune Rancheria of Chukchansi Indians, executed on
6 September 10, 1999.

7 (33) The compact between the State of California and the
8 Quechan Nation, executed on September 10, 1999.

9 (34) The compact between the State of California and the
10 Redding Rancheria, executed on September 10, 1999.

11 (35) The compact between the State of California and the
12 Rincon, San Luiseno Band of Mission Indians, executed on
13 September 10, 1999.

14 (36) The compact between the State of California and the
15 Rumsey Band of Wintun Indians, executed on September 10,
16 1999.

17 (37) The compact between the State of California and the
18 Robinson Rancheria Band of Pomo Indians, executed on
19 September 10, 1999.

20 (38) The compact between the State of California and the
21 Rohnerville Rancheria, executed on September 10, 1999.

22 (39) The compact between the State of California and the San
23 Manuel Band of Mission Indians, executed on September 10,
24 1999.

25 (40) The compact between the State of California and the San
26 Pasqual Band of Mission Indians, executed on September 10,
27 1999.

28 (41) The compact between the State of California and the Santa
29 Rosa Rancheria Tachi Tribe, executed on September 10, 1999.

30 (42) The compact between the State of California and the Santa
31 Ynez Band of Chumash Indians, executed on September 10, 1999.

32 (43) The compact between the State of California and the
33 Sherwood Valley Rancheria Band of Pomo Indians, executed on
34 September 10, 1999.

35 (44) The compact between the State of California and the
36 Shingle Springs Band of Miwok Indians, executed on September
37 10, 1999.

38 (45) The compact between the State of California and the
39 Smith River Rancheria, executed on September 10, 1999.



- 1 (46) The compact between the State of California and the
2 Soboba Band of Mission Indians, executed on September 10,
3 1999.
- 4 (47) The compact between the State of California and the
5 Susanville Indian Rancheria, executed on September 10, 1999.
- 6 (48) The compact between the State of California and the
7 Sycuan Band of Kumeyaay Indians, executed on September 10,
8 1999.
- 9 (49) The compact between the State of California and the Table
10 Mountain Rancheria, executed on September 10, 1999.
- 11 (50) The compact between the State of California and the
12 Trinidad Rancheria, executed on September 10, 1999.
- 13 (51) The compact between the State of California and the Tule
14 River Indian Tribe, executed on September 10, 1999.
- 15 (52) The compact between the State of California and the
16 Tuolumne Band of Me-wuk Indians, executed on September 10,
17 1999.
- 18 (53) The compact between the State of California and the
19 Twenty Nine Palms Band of Mission Indians, executed on
20 September 10, 1999.
- 21 (54) The compact between the State of California and the Tyme
22 Maidu Tribe, Berry Creek Rancheria, executed on September 10,
23 1999.
- 24 (55) The compact between the State of California and the
25 United Auburn Indian Community, executed on September 10,
26 1999.
- 27 (56) The compact between the State of California and the
28 Viejas Band of Kumeyaay Indians, executed on September 10,
29 1999.
- 30 (57) The compact between the State of California and the
31 Coyote Valley Band of Pomo Indians, executed on September 10,
32 1999.
- 33 (b) Any other tribal-state gaming compact entered into
34 between the State of California and a federally recognized Indian
35 tribe which is executed after September 10, 1999, is hereby ratified
36 if both of the following are true:
- 37 (1) The compact is identical in all material respects to any of the
38 compacts expressly ratified pursuant to subdivision (a). A compact
39 shall be deemed to be materially identical to a compact ratified



1 pursuant to subdivision (a) if the Governor certifies it is materially
2 identical at the time he or she submits it to the Legislature.

3 (2) The compact is not rejected by each house of the
4 Legislature, two-thirds of the membership thereof concurring,
5 within 30 days of the date of the submission of the compact to the
6 Legislature by the Governor. However, if the 30-day period ends
7 during a joint recess of the Legislature, the period shall be
8 extended until the fifteenth day following the day on which the
9 Legislature reconvenes.

10 (c) The Legislature acknowledges the right of federally
11 recognized Indian tribes to exercise their sovereignty to negotiate
12 and enter into tribal-state gaming compacts that are materially
13 different from the compacts ratified pursuant to subdivision (a).
14 These compacts shall be ratified by a statute approved by each
15 house of the Legislature, a majority of the members thereof
16 concurring, and signed by the Governor, unless the statute contains
17 implementing or other provisions requiring a supermajority vote,
18 in which case the statute shall be approved in the manner required
19 by the Constitution.

20 (d) The Governor is the designated state officer responsible for
21 negotiating and executing, on behalf of the state, tribal-state
22 gaming compacts with federally recognized Indian tribes located
23 within the State of California pursuant to the federal Indian
24 Gaming Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168,
25 incl., and 25 U.S.C. Sec. 2701 et seq.) for the purpose of
26 authorizing class III gaming, as defined in that act, on Indian lands
27 within this state. Nothing in this section shall be construed to deny
28 the existence of the Governor's authority to have negotiated and
29 executed tribal-state gaming compacts prior to the effective date
30 of this section.

31 (e) Following completion of negotiations conducted pursuant
32 to subdivision (b) or (c), the Governor shall submit a copy of any
33 executed tribal-state compact to both houses of the Legislature for
34 ratification, and shall submit a copy of the executed compact to the
35 Secretary of State for purposes of subdivision (f).

36 (f) Upon receipt of a statute ratifying a tribal-state compact
37 negotiated and executed pursuant to subdivision (c), or upon the
38 expiration of the review period described in subdivision (b), the
39 Secretary of State shall forward a copy of the executed compact
40 and the ratifying statute, if applicable, to the Secretary of the



1 Interior for his or her review and approval, in accordance with
2 paragraph (8) of subsection (d) of Section 2710 of Title 25 of the
3 United States Code.

4 (g) In deference to tribal sovereignty, neither the execution of
5 a tribal-state gaming compact nor the on-reservation impacts of
6 compliance with the terms of a tribal-state gaming compact shall
7 be deemed to constitute a project for purposes of the California
8 Environmental Quality Act (Division 13 (commencing with
9 Section 21000) of the Public Resources Code).

10 12721. There is hereby created in the State Treasury a special
11 fund entitled the Indian Gaming Revenue Sharing Trust Fund for
12 the receipt and deposit of moneys derived from gaming device
13 license fees that are paid into the fund pursuant to the terms of
14 tribal-state gaming compacts for the purpose of making
15 distributions to noncompact tribes. Moneys in the fund are
16 available to the California Gambling Control Commission, upon
17 appropriation by the Legislature, for the purpose of making
18 distributions to noncompact tribes, in accordance with distribution
19 plans specified in tribal-state gaming compacts.

20 12722. There is hereby created in the State Treasury the
21 Indian Gaming Special Distribution Fund for the receipt and
22 deposit of moneys received by the state from Indian tribes pursuant
23 to the terms of tribal-state gaming compacts. Moneys in the fund
24 are available for appropriation by the Legislature for the following
25 purposes:

26 (a) Grants, including any administrative costs, for programs
27 designed to address gambling addiction.

28 (b) Grants, including any administrative costs, for the support
29 of state and local government agencies impacted by tribal
30 government gaming.

31 (c) Compensation for regulatory costs incurred by the
32 California Gambling Control Commission and the Department of
33 Justice in connection with the implementation and administration
34 of tribal-state gaming compacts.

35 (d) Disbursements for the purpose of implementing the terms
36 of tribal labor relations ordinances promulgated in accordance
37 with the terms of tribal-state gaming compacts ratified pursuant to
38 Chapter 874 of the Statutes of 1999. No more than 10 percent of
39 the funds appropriated in the Budget Act of 2000 for
40 implementation of tribal labor relations ordinances promulgated



1 in accordance with those compacts shall be expended in the
2 selection of the Tribal Labor Panel. The Department of Personnel
3 Administration shall consult with and seek input from the parties
4 prior to any expenditure for purposes of selecting the Tribal Labor
5 Panel. Other than the cost of selecting the Tribal Labor Panel, there
6 shall be no further disbursements until the Tribal Labor Panel,
7 which is selected by mutual agreement of the parties, is in place.

8 (e) Any other purpose specified by law.

9 12723. (a) There is hereby created in state government, the
10 Indian Gaming Improvement Commission which is composed of
11 seven members. Two members shall be appointed by the
12 Governor, two members shall be appointed by the Senate
13 Committee on Rules, two members shall be appointed by the
14 Speaker of the Assembly, and one member shall be appointed by
15 the California Nations Indian Gaming Association.

16 (b) The Indian Gaming Improvement Commission is
17 responsible for determining the eligibility of requests for
18 appropriations of moneys from the Indian Gaming Special
19 Distribution Fund. The commission shall establish deadlines for
20 the submission of a request for funding for the ensuing fiscal year.
21 The commission shall establish priorities for those requests that
22 will benefit the most residents of communities impacted by tribal
23 gaming. A priority for a request for moneys from the fund shall be
24 given to requests that increase the level of public safety or other
25 law enforcement services provided to communities impacted by
26 tribal gaming.

27 (c) The Indian Gaming Improvement Commission shall
28 provide, on or before May 1 of each year, the committees of each
29 house of the Legislature that consider the annual Budget Bill with
30 the list of requests it recommends to receive funding.

