

**Introduced by Senators Wiggins and Ashburn**  
(Principal coauthor: Assembly Member Berg)

January 30, 2007

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An act to add Sections 12012.53 and 12012.54 to the Government Code, relating to gaming.

LEGISLATIVE COUNSEL'S DIGEST

SB 157, as introduced, Wiggins. Tribal gaming: compact ratification.

The federal Indian Gaming Regulatory Act provides for the negotiation and execution of tribal-state gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within a state. The California Constitution authorizes the Governor to negotiate and conclude compacts, subject to ratification by the Legislature. Existing law expressly ratifies a number of tribal-state gaming compacts, and amendments of tribal-state gaming compacts, between the State of California and specified Indian tribes.

This bill would ratify tribal-state gaming compacts entered into on September 9, 2005, between the State of California and the Big Lagoon Rancheria, and between the State of California and the Los Coyotes Band of Cahuilla and Cupeno Indians. The bill would require that related revenue contributions be deposited into the General Fund and would also specify that, in deference to tribal sovereignty, certain actions may not be deemed projects for purposes of the California Environmental Quality Act.

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 12012.53 is added to the Government  
2 Code, to read:

3 12012.53. (a) The tribal-state gaming compact entered into in  
4 accordance with the Indian Gaming Regulatory Act of 1988 (18  
5 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)  
6 between the State of California and the Big Lagoon Rancheria,  
7 executed on September 9, 2005, is hereby ratified.

8 (b) (1) In deference to tribal sovereignty, none of the following  
9 shall be deemed a project for purposes of the California  
10 Environmental Quality Act (Division 13 (commencing with Section  
11 21000) of the Public Resources Code):

12 (A) The execution of an amendment of the tribal-state gaming  
13 compact ratified by this section.

14 (B) The execution of the tribal-state gaming compact ratified  
15 by this section.

16 (C) The execution of an intergovernmental agreement between  
17 a tribe and a county or city government negotiated pursuant to the  
18 express authority of, or as expressly referenced in, the tribal-state  
19 gaming compact ratified by this section.

20 (D) The execution of an intergovernmental agreement between  
21 a tribe and the California Department of Transportation negotiated  
22 pursuant to the express authority of, or as expressly referenced in,  
23 the tribal-state gaming compact ratified by this section.

24 (E) The on-reservation impacts of compliance with the terms  
25 of the tribal-state gaming compact ratified by this section.

26 (F) The sale of compact assets, as defined in subdivision (a) of  
27 Section 63048.6, or the creation of the special purpose trust  
28 established pursuant to Section 63048.65.

29 (2) Except as expressly provided herein, nothing in this  
30 subdivision shall be construed to exempt a city, county, or city  
31 and county, or the California Department of Transportation, from  
32 the requirements of the California Environmental Quality Act.

33 (c) Revenue contributions made to the state by the tribe pursuant  
34 to the tribal-state gaming compact ratified by this section shall be  
35 deposited in the General Fund.

36 SEC. 2. Section 12012.54 is added to the Government Code,  
37 to read:

1 12012.54. (a) The tribal-state gaming compact entered into in  
2 accordance with the Indian Gaming Regulatory Act of 1988 (18  
3 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)  
4 between the State of California and the Los Coyotes Band of  
5 Cahuilla and Cupeno Indians, executed on September 9, 2005, is  
6 hereby ratified.

7 (b) (1) In deference to tribal sovereignty, none of the following  
8 shall be deemed a project for purposes of the California  
9 Environmental Quality Act (Division 13 (commencing with Section  
10 21000) of the Public Resources Code):

11 (A) The execution of an amendment of the tribal-state gaming  
12 compact ratified by this section.

13 (B) The execution of the tribal-state gaming compact ratified  
14 by this section.

15 (C) The execution of an intergovernmental agreement between  
16 a tribe and a county or city government negotiated pursuant to the  
17 express authority of, or as expressly referenced in, the tribal-state  
18 gaming compact ratified by this section.

19 (D) The execution of an intergovernmental agreement between  
20 a tribe and the California Department of Transportation negotiated  
21 pursuant to the express authority of, or as expressly referenced in,  
22 the tribal-state gaming compact ratified by this section.

23 (E) The on-reservation impacts of compliance with the terms  
24 of the tribal-state gaming compact ratified by this section.

25 (F) The sale of compact assets, as defined in subdivision (a) of  
26 Section 63048.6, or the creation of the special purpose trust  
27 established pursuant to Section 63048.65.

28 (2) Except as expressly provided herein, nothing in this  
29 subdivision shall be construed to exempt a city, county, or city  
30 and county, or the California Department of Transportation, from  
31 the requirements of the California Environmental Quality Act.

32 (c) Revenue contributions made to the state by the tribe pursuant  
33 to the tribal-state gaming compact ratified by this section shall be  
34 deposited in the General Fund.