

**ASSEMBLY BILL**

**No. 2695**

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**Introduced by Committee on Governmental Organization (Hall (Chair), Nestande (Vice Chair), Atkins, Block, Blumenfield, Chesbro, Cook, Galgiani, Garrick, Hill, Ma, Perea, V. Manuel Pérez, Silva, and Torres)**

March 15, 2012

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An act to add Title 16.5 (commencing with Section 98020) to, to repeal Sections 12012.5, 12012.25, 12012.30, 12012.35, 12012.40, 12012.45, 12012.46, 12012.465, 12012.47, 12012.475, 12012.48, 12012.485, 12012.49, 12012.495, 12012.51, 12012.515, 12012.52, 12012.53, 12012.54, 12012.551, 12012.75, 12012.85, and 12012.90 of, to repeal Chapter 7.5 (commencing with Section 12710) of Part 2 of Division 3 of Title 2 of, and to repeal Chapter 3 (commencing with Section 98055) of Title 16.5 of, the Government Code, relating to gaming.

LEGISLATIVE COUNSEL'S DIGEST

AB 2695, as introduced, Committee on Governmental Organization. Tribal gaming.

Existing federal law, the Indian Gaming Regulatory Act of 1988, 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 ratifies a number of tribal-state gaming compacts between the State of California and specified Indian tribes. Existing law creates in the State Treasury the Indian Gaming Revenue Sharing Trust Fund

and 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 gaming compacts entered into with the state, and authorizes moneys in those funds to be used for certain purposes. Existing law, until January 1, 2021, establishes the method of calculating the distribution of appropriations from the Indian Gaming Special Distribution Fund for grants to local government agencies impacted by tribal gaming.

This bill would reorganize and make technical, nonsubstantive changes to these provisions.

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

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

1 SECTION 1. Section 12012.5 of the Government Code is  
 2 repealed.  
 3 ~~12012.5.—(a) The following tribal-state compacts entered in~~  
 4 ~~accordance with the Indian Gaming Regulatory Act of 1988 (18~~  
 5 ~~U.S.C. Sec. 1166 et seq. and 25 U.S.C. Sec. 2701 et seq.) are~~  
 6 ~~hereby ratified:~~  
 7 ~~(1) The compact between the State of California and the Barona~~  
 8 ~~Band of Mission Indians, executed on August 12, 1998.~~  
 9 ~~(2) The compact between the State of California and the Big~~  
 10 ~~Sandy Rancheria of Mono Indians, executed on July 20, 1998.~~  
 11 ~~(3) The compact between the State of California and the Cher-Ae~~  
 12 ~~Heights Indian Community of Trinidad Rancheria, executed on~~  
 13 ~~July 13, 1998.~~  
 14 ~~(4) The compact between the State of California and the Jackson~~  
 15 ~~Rancheria Band of Miwuk Indians, executed on July 13, 1998.~~  
 16 ~~(5) The compact between the State of California and the~~  
 17 ~~Mooretown Rancheria of Concow/Maidu Indians, executed on~~  
 18 ~~July 13, 1998.~~  
 19 ~~(6) The compact between the State of California and the Pala~~  
 20 ~~Band of Mission Indians, as approved by the Secretary of the~~  
 21 ~~Interior on April 25, 1998.~~  
 22 ~~(7) The compact between the State of California and the Redding~~  
 23 ~~Rancheria, executed on August 11, 1998.~~

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

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

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

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

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

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

28 ~~(c) The Legislature acknowledges the right of federally~~  
29 ~~recognized tribes to exercise their sovereignty to negotiate and~~  
30 ~~enter into compacts with the state that are materially different from~~  
31 ~~the compacts ratified pursuant to subdivision (a). These compacts~~  
32 ~~shall be ratified upon approval of each house of the Legislature, a~~  
33 ~~majority of the membership thereof concurring.~~

34 ~~(d) The Governor is the designated state officer responsible for~~  
35 ~~negotiating and executing, on behalf of the state, tribal-state gaming~~  
36 ~~compacts with federally recognized Indian tribes in the State of~~  
37 ~~California pursuant to the federal Indian Gaming Regulatory Act~~  
38 ~~of 1988 (18 U.S.C. Sec. 1166 et seq. and 25 U.S.C. Sec. 2701 et~~  
39 ~~seq.) for the purpose of authorizing class III gaming, as defined~~  
40 ~~in that act, on Indian lands. Nothing in this section shall be~~

1 construed to deny the existence of the Governor's authority to have  
2 negotiated and executed tribal-state compacts prior to the effective  
3 date of this section.

4 (e) ~~The Governor is authorized to waive the state's immunity  
5 to suit in federal court in connection with any compact negotiated  
6 with an Indian tribe or any action brought by an Indian tribe under  
7 the Indian Gaming Regulatory Act (18 U.S.C. Sec. 1166 et seq.  
8 and 25 U.S.C. Sec. 2701 et seq.):~~

9 (f) ~~In deference to tribal sovereignty, the execution of, and  
10 compliance with the terms of, any compact specified under  
11 subdivision (a) or (b) shall not be deemed to constitute a project  
12 for purposes of the California Environmental Quality Act (Division  
13 13 (commencing with Section 21000) of the Public Resources  
14 Code):~~

15 (g) ~~Nothing in this section shall be interpreted to authorize the  
16 unilateral imposition of a statewide limit on the number of lottery  
17 devices or of any allocation system for lottery devices on any  
18 Indian tribe that has not entered into a compact that provides for  
19 such a limit or allocation system. Each tribe may negotiate  
20 separately with the state over these matters on a  
21 government-to-government basis:~~

22 SEC. 2. Section 12012.25 of the Government Code is repealed.

23 12012.25. (a) ~~The following tribal-state gaming compacts  
24 entered into in accordance with the Indian Gaming Regulatory Act  
25 of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec.  
26 2701 et seq.) are hereby ratified:~~

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

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

31 (3) ~~The compact between the State of California and the Big  
32 Sandy Rancheria Band of Mono Indians, executed on September  
33 10, 1999.~~

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

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

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

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

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

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

1     ~~(56) The compact between the State of California and the Viejas~~  
2 ~~Band of Kumeyaay Indians, executed on September 10, 1999.~~  
3     ~~(57) The compact between the State of California and the Coyote~~  
4 ~~Valley Band of Pomo Indians, executed on September 10, 1999.~~  
5     ~~(b) Any other tribal-state gaming compact entered into between~~  
6 ~~the State of California and a federally recognized Indian tribe~~  
7 ~~which is executed after September 10, 1999, is hereby ratified if~~  
8 ~~both of the following are true:~~  
9     ~~(1) The compact is identical in all material respects to any of~~  
10 ~~the compacts expressly ratified pursuant to subdivision (a). A~~  
11 ~~compact shall be deemed to be materially identical to a compact~~  
12 ~~ratified pursuant to subdivision (a) if the Governor certifies it is~~  
13 ~~materially identical at the time he or she submits it to the~~  
14 ~~Legislature.~~  
15     ~~(2) The compact is not rejected by each house of the Legislature,~~  
16 ~~two-thirds of the membership thereof concurring, within 30 days~~  
17 ~~of the date of the submission of the compact to the Legislature by~~  
18 ~~the Governor. However, if the 30-day period ends during a joint~~  
19 ~~recess of the Legislature, the period shall be extended until the~~  
20 ~~fifteenth day following the day on which the Legislature~~  
21 ~~reconvenes.~~  
22     ~~(c) The Legislature acknowledges the right of federally~~  
23 ~~recognized Indian tribes to exercise their sovereignty to negotiate~~  
24 ~~and enter into tribal-state gaming compacts that are materially~~  
25 ~~different from the compacts ratified pursuant to subdivision (a).~~  
26 ~~These compacts shall be ratified by a statute approved by each~~  
27 ~~house of the Legislature, a majority of the members thereof~~  
28 ~~concurring, and signed by the Governor, unless the statute contains~~  
29 ~~implementing or other provisions requiring a supermajority vote,~~  
30 ~~in which case the statute shall be approved in the manner required~~  
31 ~~by the Constitution.~~  
32     ~~(d) The Governor is the designated state officer responsible for~~  
33 ~~negotiating and executing, on behalf of the state, tribal-state gaming~~  
34 ~~compacts with federally recognized Indian tribes located within~~  
35 ~~the State of California pursuant to the federal Indian Gaming~~  
36 ~~Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and~~  
37 ~~25 U.S.C. Sec. 2701 et seq.) for the purpose of authorizing class~~  
38 ~~III gaming, as defined in that act, on Indian lands within this state.~~  
39 ~~Nothing in this section shall be construed to deny the existence of~~  
40 ~~the Governor's authority to have negotiated and executed~~



1 ~~tribal-state gaming compacts prior to the effective date of this~~  
2 ~~section.~~

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

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

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

22 SEC. 3. Section 12012.30 of the Government Code is repealed.

23 ~~12012.30. The tribal-state gaming compact entered into in~~  
24 ~~accordance with the Indian Gaming Regulatory Act of 1988 (18~~  
25 ~~U.S.C. Sees. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)~~  
26 ~~between the State of California and the Torres-Martinez Desert~~  
27 ~~Cahuilla Indians, executed on August 12, 2003, is hereby ratified.~~

28 SEC. 4. Section 12012.35 of the Government Code is repealed.

29 ~~12012.35. (a) The tribal-state gaming compact entered into in~~  
30 ~~accordance with the Indian Gaming Regulatory Act of 1988 (18~~  
31 ~~U.S.C. Sees. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)~~  
32 ~~between the State of California and the La Posta Band of Diegueño~~  
33 ~~Mission Indians of the La Posta Indian Reservation, California,~~  
34 ~~executed on September 9, 2003, is hereby ratified.~~

35 ~~(b) The tribal-state gaming compact entered into in accordance~~  
36 ~~with the Indian Gaming Regulatory Act of 1988 (18 U.S.C. Sees.~~  
37 ~~1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.) between the~~  
38 ~~State of California and the Santa Ysabel Band of Diegueño Mission~~  
39 ~~Indians of the Santa Ysabel Reservation, California, executed on~~  
40 ~~September 8, 2003, is hereby ratified.~~

1 SEC. 5. Section 12012.40 of the Government Code is repealed.  
2 12012.40. (a) The following amendments to tribal-state gaming  
3 compacts entered into in accordance with the Indian Gaming  
4 Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and  
5 25 U.S.C. Sec. 2701 et seq.) are hereby ratified:

6 (1) The amendment of the compact between the State of  
7 California and the Pala Band of Mission Indians, executed on June  
8 21, 2004.

9 (2) The amendment of the compact between the State of  
10 California and the Pauma Band of Luiseno Mission Indians of the  
11 Pauma and Yuima Reservation, executed on June 21, 2004.

12 (3) The amendment of the compact between the State of  
13 California and the Rumsey Band of Wintun Indians, executed on  
14 June 21, 2004.

15 (4) The amendment of the compact between the State of  
16 California and the United Auburn Indian Community, executed  
17 on June 21, 2004.

18 (5) The amendment of the compact between the State of  
19 California and the Viejas Band of Kumeyaay Indians, executed  
20 on June 21, 2004.

21 (b) (1) In deference to tribal sovereignty, none of the following  
22 shall be deemed a project for purposes of the California  
23 Environmental Quality Act (Division 13 (commencing with Section  
24 21000) of the Public Resources Code):

25 (A) The execution of an amendment of tribal-state gaming  
26 compact ratified by this section.

27 (B) The execution of an intergovernmental agreement between  
28 a tribe and a county or city government negotiated pursuant to the  
29 express authority of, or as expressly referenced in, an amended  
30 tribal-state gaming compact ratified by this section.

31 (C) The on-reservation impacts of compliance with the terms  
32 of an amended tribal-state gaming compact ratified by this section.

33 (D) The sale of compact assets as defined in subdivision (a) of  
34 Section 63048.6 or the creation of the special purpose trust  
35 established pursuant to Section 63048.65.

36 (2) Except as expressly provided herein, nothing in this  
37 subdivision shall be construed to exempt a city, county, or a city  
38 and county from the requirements of the California Environmental  
39 Quality Act.

40 SEC. 6. Section 12012.45 of the Government Code is repealed.

1 ~~12012.45. (a) The following tribal-state gaming compacts and~~  
2 ~~amendments of tribal-state gaming compacts entered into in~~  
3 ~~accordance with the Indian Gaming Regulatory Act of 1988 (18~~  
4 ~~U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)~~  
5 ~~are hereby ratified:~~

6 ~~(1) The amendment of the compact between the State of~~  
7 ~~California and the Buena Vista Rancheria of Me-Wuk Indians,~~  
8 ~~executed on August 23, 2004.~~

9 ~~(2) The compact between the State of California and the Fort~~  
10 ~~Mojave Indian Tribe, executed on August 23, 2004.~~

11 ~~(3) The compact between the State of California and the Coyote~~  
12 ~~Valley Band of Pomo Indians, executed on August 23, 2004.~~

13 ~~(4) The amendment to the compact between the State of~~  
14 ~~California and the Ewiiapaayp Band of Kumeyaay Indians,~~  
15 ~~executed on August 23, 2004.~~

16 ~~(5) The amendment to the compact between the State of~~  
17 ~~California and the Quechan Tribe of the Fort Yuma Indian~~  
18 ~~Reservation, executed on June 26, 2006.~~

19 ~~(b) The terms of each compact apply only to the State of~~  
20 ~~California and the tribe that has signed it, and the terms of these~~  
21 ~~compacts do not bind any tribe that is not a signatory to any of the~~  
22 ~~compacts. The Legislature acknowledges the right of federally~~  
23 ~~recognized tribes to exercise their sovereignty to negotiate and~~  
24 ~~enter into compacts with the state that are materially different from~~  
25 ~~the compacts ratified pursuant to subdivision (a).~~

26 ~~(c) (1) In deference to tribal sovereignty, none of the following~~  
27 ~~shall be deemed a project for purposes of the California~~  
28 ~~Environmental Quality Act (Division 13 (commencing with Section~~  
29 ~~21000) of the Public Resources Code):~~

30 ~~(A) The execution of an amendment of a tribal-state gaming~~  
31 ~~compact ratified by this section.~~

32 ~~(B) The execution of a tribal-state gaming compact ratified by~~  
33 ~~this section.~~

34 ~~(C) The execution of an intergovernmental agreement between~~  
35 ~~a tribe and a county or city government negotiated pursuant to the~~  
36 ~~express authority of, or as expressly refereneed in, a tribal-state~~  
37 ~~gaming compact or an amended tribal-state gaming compact~~  
38 ~~ratified by this section.~~

39 ~~(D) The execution of an intergovernmental agreement between~~  
40 ~~a tribe and the California Department of Transportation negotiated~~

1 pursuant to the express authority of, or as expressly referenced in,  
2 a tribal-state gaming compact or an amended tribal-state gaming  
3 compact ratified by this section.

4 (E) The on-reservation impacts of compliance with the terms  
5 of a tribal-state gaming compact or an amended tribal-state gaming  
6 compact ratified by this section.

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

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

14 (d) Revenue contributions made to the state by tribes pursuant  
15 to the tribal-state gaming compacts and amendments of tribal-state  
16 gaming compacts ratified by this section shall be deposited in the  
17 General Fund.

18 SEC. 7. Section 12012.46 of the Government Code is repealed.

19 12012.46. (a) The amendment to the tribal-state gaming  
20 compact entered into in accordance with the Indian Gaming  
21 Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and  
22 25 U.S.C. Sec. 2701 et seq.) between the State of California and  
23 the Agua Caliente Band of Cahuilla Indians, executed on August  
24 8, 2006, is hereby ratified.

25 (b) (1) In deference to tribal sovereignty, none of the following  
26 shall be deemed a project for purposes of the California  
27 Environmental Quality Act (Division 13 (commencing with Section  
28 21000) of the Public Resources Code):

29 (A) The execution of an amendment to the amended tribal-state  
30 gaming compact ratified by this section.

31 (B) The execution of the amended tribal-state gaming compact  
32 ratified by this section.

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

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

1 ~~(E) The on-reservation impacts of compliance with the terms~~  
2 ~~of the amended tribal-state gaming compact ratified by this section.~~

3 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~  
4 ~~Section 63048.6, or the creation of the special purpose trust~~  
5 ~~established pursuant to Section 63048.65.~~

6 ~~(2) Except as expressly provided herein, nothing in this~~  
7 ~~subdivision shall be construed to exempt a city, county, or city~~  
8 ~~and county, or the California Department of Transportation, from~~  
9 ~~the requirements of the California Environmental Quality Act.~~

10 ~~(e) Revenue contributions made to the state by tribes pursuant~~  
11 ~~to the amended tribal-state gaming compact ratified by this section~~  
12 ~~shall be deposited in the General Fund.~~

13 SEC. 8. Section 12012.465 of the Government Code is  
14 repealed.

15 ~~12012.465. The memorandum of agreement entered into~~  
16 ~~between the State of California and the Agua Caliente Band of~~  
17 ~~Cahuilla Indians, executed on June 27, 2007, is hereby approved.~~

18 SEC. 9. Section 12012.47 of the Government Code is repealed.

19 ~~12012.47. (a) The amendment to the tribal-state gaming~~  
20 ~~compact entered into in accordance with the Indian Gaming~~  
21 ~~Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and~~  
22 ~~25 U.S.C. Sec. 2701 et seq.) between the State of California and~~  
23 ~~the San Manuel Band of Mission Indians, executed on August 28,~~  
24 ~~2006, is hereby ratified.~~

25 ~~(b) The terms of the amended compact ratified by this section~~  
26 ~~shall apply only to the State of California and the tribe that has~~  
27 ~~signed it, and shall not bind any tribe that is not a signatory to the~~  
28 ~~amended compact. The Legislature acknowledges the right of~~  
29 ~~federally recognized tribes to exercise their sovereignty to negotiate~~  
30 ~~and enter into compacts with the state that are materially different~~  
31 ~~from the amended compact ratified pursuant to subdivision (a).~~

32 ~~(c) (1) In deference to tribal sovereignty, none of the following~~  
33 ~~shall be deemed a project for purposes of the California~~  
34 ~~Environmental Quality Act (Division 13 (commencing with Section~~  
35 ~~21000) of the Public Resources Code):~~

36 ~~(A) The execution of an amendment to the amended tribal-state~~  
37 ~~gaming compact ratified by this section.~~

38 ~~(B) The execution of the amended tribal-state gaming compact~~  
39 ~~ratified by this section.~~

1     ~~(C) The execution of an intergovernmental agreement between~~  
 2 ~~a tribe and a county or city government negotiated pursuant to the~~  
 3 ~~express authority of, or as expressly referenced in, the amended~~  
 4 ~~tribal-state gaming compact ratified by this section.~~

5     ~~(D) The execution of an intergovernmental agreement between~~  
 6 ~~a tribe and the California Department of Transportation negotiated~~  
 7 ~~pursuant to the express authority of, or as expressly referenced in,~~  
 8 ~~the amended tribal-state gaming compact ratified by this section.~~

9     ~~(E) The on-reservation impacts of compliance with the terms~~  
 10 ~~of the amended tribal-state gaming compact ratified by this section.~~

11     ~~(F) The sale of compact assets, as defined in subdivision (a) of~~  
 12 ~~Section 63048.6, or the creation of the special purpose trust~~  
 13 ~~established pursuant to Section 63048.65.~~

14     ~~(2) Except as expressly provided herein, nothing in this~~  
 15 ~~subdivision shall be construed to exempt a city, county, or city~~  
 16 ~~and county, or the California Department of Transportation, from~~  
 17 ~~the requirements of the California Environmental Quality Act.~~

18     ~~(d) Revenue contributions made to the state by tribes pursuant~~  
 19 ~~to the amended tribal-state gaming compact ratified by this section~~  
 20 ~~shall be deposited in the General Fund, or as otherwise provided~~  
 21 ~~in the amended compact.~~

22     ~~SEC. 10. Section 12012.475 of the Government Code is~~  
 23 ~~repealed.~~

24     ~~12012.475.—The letter of agreement entered into between the~~  
 25 ~~State of California and the San Manuel Band of Mission Indians,~~  
 26 ~~executed on September 5, 2007, is hereby approved.~~

27     ~~SEC. 11. Section 12012.48 of the Government Code is~~  
 28 ~~repealed.~~

29     ~~12012.48.—(a) The amendment to the tribal-state gaming~~  
 30 ~~compact entered into in accordance with the Indian Gaming~~  
 31 ~~Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and~~  
 32 ~~25 U.S.C. Sec. 2701 et seq.) between the State of California and~~  
 33 ~~the Morongo Band of Mission Indians, executed on August 29,~~  
 34 ~~2006, is hereby ratified.~~

35     ~~(b) (1) In deference to tribal sovereignty, none of the following~~  
 36 ~~shall be deemed a project for purposes of the California~~  
 37 ~~Environmental Quality Act (Division 13 (commencing with Section~~  
 38 ~~21000) of the Public Resources Code):~~

39     ~~(A) The execution of an amendment to the amended tribal-state~~  
 40 ~~gaming compact ratified by this section.~~

1 ~~(B) The execution of the amended tribal-state gaming compact~~  
2 ~~ratified by this section.~~

3 ~~(C) The execution of an intergovernmental agreement between~~  
4 ~~a tribe and a county or city government negotiated pursuant to the~~  
5 ~~express authority of, or as expressly referenced in, the amended~~  
6 ~~tribal-state gaming compact ratified by this section.~~

7 ~~(D) The execution of an intergovernmental agreement between~~  
8 ~~a tribe and the California Department of Transportation negotiated~~  
9 ~~pursuant to the express authority of, or as expressly referenced in,~~  
10 ~~the amended tribal-state gaming compact ratified by this section.~~

11 ~~(E) The on-reservation impacts of compliance with the terms~~  
12 ~~of the amended tribal-state gaming compact ratified by this section.~~

13 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~  
14 ~~Section 63048.6, or the creation of the special purpose trust~~  
15 ~~established pursuant to Section 63048.65.~~

16 ~~(2) Except as expressly provided herein, nothing in this~~  
17 ~~subdivision shall be construed to exempt a city, county, or city~~  
18 ~~and county, or the California Department of Transportation, from~~  
19 ~~the requirements of the California Environmental Quality Act.~~

20 ~~(e) Revenue contributions made to the state by tribes pursuant~~  
21 ~~to the amended tribal-state gaming compact ratified by this section~~  
22 ~~shall be deposited in the General Fund.~~

23 ~~SEC. 12. Section 12012.485 of the Government Code is~~  
24 ~~repealed.~~

25 ~~12012.485.—The memorandum of agreement entered into~~  
26 ~~between the State of California and the Morongo Band of Mission~~  
27 ~~Indians, executed on June 27, 2007, is hereby approved.~~

28 ~~SEC. 13. Section 12012.49 of the Government Code is~~  
29 ~~repealed.~~

30 ~~12012.49.—(a) The amendment to the tribal-state gaming~~  
31 ~~compact entered into in accordance with the Indian Gaming~~  
32 ~~Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and~~  
33 ~~25 U.S.C. Sec. 2701 et seq.) between the State of California and~~  
34 ~~the Pechanga Band of Luiseño Mission Indians, executed on~~  
35 ~~August 28, 2006, is hereby ratified.~~

36 ~~(b) (1) In deference to tribal sovereignty, none of the following~~  
37 ~~shall be deemed a project for purposes of the California~~  
38 ~~Environmental Quality Act (Division 13 (commencing with Section~~  
39 ~~21000) of the Public Resources Code):~~

1 (A) The execution of an amendment to the amended tribal-state  
2 gaming compact ratified by this section.

3 (B) The execution of the amended tribal-state gaming compact  
4 ratified by this section.

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

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

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

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

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

22 (e) Revenue contributions made to the state by the tribe pursuant  
23 to the amended tribal-state gaming compact ratified by this section  
24 shall be deposited in the General Fund.

25 SEC. 14. Section 12012.495 of the Government Code is  
26 repealed.

27 12012.495. The memorandum of agreement entered into  
28 between the State of California and the Pechanga Band of Luiseño  
29 Indians, executed on June 27, 2007, is hereby approved.

30 SEC. 15. Section 12012.51 of the Government Code is  
31 repealed.

32 12012.51. (a) The amendment to the tribal-state gaming  
33 compact entered into in accordance with the Indian Gaming  
34 Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and  
35 25 U.S.C. Sec. 2701 et seq.) between the State of California and  
36 the Sycuan Band of the Kumeyaay Nation, executed on August  
37 30, 2006, is hereby ratified.

38 (b) The terms of the amended compact ratified by this section  
39 shall apply only to the State of California and the tribe that has  
40 signed it, and shall not bind any tribe that is not a signatory to the



1 amended compact. The Legislature acknowledges the right of  
2 federally recognized tribes to exercise their sovereignty to negotiate  
3 and enter into compacts with the state that are materially different  
4 from the amended compact ratified pursuant to subdivision (a):

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

9 (A) The execution of an amendment to the amended tribal-state  
10 gaming compact ratified by this section.

11 (B) The execution of the amended tribal-state gaming compact  
12 ratified by this section.

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

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

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

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

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

30 (d) Revenue contributions made to the state by the tribe pursuant  
31 to the amended tribal-state gaming compact ratified by this section  
32 shall be deposited in the General Fund, or as otherwise provided  
33 in the amended compact.

34 SEC. 16. Section 12012.515 of the Government Code is  
35 repealed.

36 12012.515.—The memorandum of agreement entered into  
37 between the State of California and the Sycuan Band of the  
38 Kumeyaay Nation, executed on June 27, 2007, is hereby approved.

39 SEC. 17. Section 12012.52 of the Government Code is  
40 repealed.

1     ~~12012.52. (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 Yurok Tribe of the Yurok~~  
5 ~~Reservation, executed on August 29, 2006, is hereby ratified.~~

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

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

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

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

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

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

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

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

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

34     SEC. 18. Section 12012.53 of the Government Code is  
35 repealed.

36     ~~12012.53. (a) The amendment to the tribal-state gaming~~  
37 ~~compact entered into in accordance with the Indian Gaming~~  
38 ~~Regulatory Act of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and~~  
39 ~~25 U.S.C. Sec. 2701 et seq.) between the State of California and~~

1 the Shingle Springs Band of Miwok Indians, executed on June 30,  
2 2008, is hereby ratified.

3 (b) (1) In deference to tribal sovereignty, none of the following  
4 shall be deemed a project for purposes of the California  
5 Environmental Quality Act (Division 13 (commencing with Section  
6 21000) of the Public Resources Code):

7 (A) The execution of an amendment to the amended tribal-state  
8 gaming compact ratified by this section.

9 (B) The execution of the amended tribal-state gaming compact  
10 ratified by this section.

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

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

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

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

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

28 (e) Revenue contributions made to the state by the tribe pursuant  
29 to the tribal-state gaming compact ratified by this section shall be  
30 deposited in the General Fund, except as otherwise provided by  
31 the amended compact or by a statute directing that a portion of the  
32 revenue contributions be deposited in a special fund.

33 SEC. 19. Section 12012.54 of the Government Code is  
34 repealed.

35 12012.54. (a) The tribal-state gaming compact entered into in  
36 accordance with the Indian Gaming Regulatory Act of 1988 (18  
37 U.S.C. Sees. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)  
38 between the State of California and the Habematolel Pomo of  
39 Upper Lake, executed on March 17, 2011, is hereby ratified.

1 ~~(b) (1) In deference to tribal sovereignty, none of the following~~  
 2 ~~shall be deemed a project for purposes of the California~~  
 3 ~~Environmental Quality Act (Division 13 (commencing with Section~~  
 4 ~~21000) of the Public Resources Code):~~

5 ~~(A) The execution of an amendment to the tribal-state gaming~~  
 6 ~~compact ratified by this section.~~

7 ~~(B) The execution of the tribal-state gaming compact ratified~~  
 8 ~~by this section.~~

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

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

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

19 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~  
 20 ~~Section 63048.6, or the creation of the special purpose trust~~  
 21 ~~established pursuant to Section 63048.65.~~

22 ~~(2) Except as expressly provided herein, nothing in this~~  
 23 ~~subdivision shall be construed to exempt a city, county, or city~~  
 24 ~~and county, or the California Department of Transportation, from~~  
 25 ~~the requirements of the California Environmental Quality Act.~~

26 SEC. 20. Section 12012.551 of the Government Code is  
 27 repealed.

28 ~~12012.551. (a) The tribal-state gaming compact entered into~~  
 29 ~~in accordance with the Indian Gaming Regulatory Act of 1988 (18~~  
 30 ~~U.S.C. Sees. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)~~  
 31 ~~between the State of California and the Pinoleville Pomo Nation,~~  
 32 ~~executed on August 8, 2011, is hereby ratified.~~

33 ~~(b) (1) In deference to tribal sovereignty, none of the following~~  
 34 ~~shall be deemed a project for purposes of the California~~  
 35 ~~Environmental Quality Act (Division 13 (commencing with Section~~  
 36 ~~21000) of the Public Resources Code):~~

37 ~~(A) The execution of an amendment to the tribal-state gaming~~  
 38 ~~compact ratified by this section.~~

39 ~~(B) The execution of the tribal-state gaming compact ratified~~  
 40 ~~by this section.~~

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

5     ~~(D) The execution of an intergovernmental agreement between~~  
6 ~~a tribe and the Department of Transportation negotiated pursuant~~  
7 ~~to the express authority of, or as expressly referenced in, the~~  
8 ~~tribal-state gaming compact ratified by this section.~~

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

11     ~~(F) The sale of compact assets, as defined in subdivision (a) of~~  
12 ~~Section 63048.6, or the creation of the special purpose trust~~  
13 ~~established pursuant to Section 63048.65.~~

14     ~~(2) Except as expressly provided herein, nothing in this~~  
15 ~~subdivision shall be construed to exempt a city, county, or city~~  
16 ~~and county, or the Department of Transportation, from the~~  
17 ~~requirements of the California Environmental Quality Act.~~

18     ~~SEC. 21. Section 12012.75 of the Government Code is~~  
19 ~~repealed.~~

20     ~~12012.75. There is hereby created in the State Treasury a~~  
21 ~~special fund called the “Indian Gaming Revenue Sharing Trust~~  
22 ~~Fund” for the receipt and deposit of moneys derived from gaming~~  
23 ~~device license fees that are paid into the fund pursuant to the terms~~  
24 ~~of tribal-state gaming compacts for the purpose of making~~  
25 ~~distributions to noncompact tribes. Moneys in the Indian Gaming~~  
26 ~~Revenue Sharing Trust Fund shall be available to the California~~  
27 ~~Gambling Control Commission, upon appropriation by the~~  
28 ~~Legislature, for the purpose of making distributions to noncompact~~  
29 ~~tribes, in accordance with distribution plans specified in tribal-state~~  
30 ~~gaming compacts.~~

31     ~~SEC. 22. Section 12012.85 of the Government Code is~~  
32 ~~repealed.~~

33     ~~12012.85. There is hereby created in the State Treasury a fund~~  
34 ~~called the “Indian Gaming Special Distribution Fund” for the~~  
35 ~~receipt and deposit of moneys received by the state from Indian~~  
36 ~~tribes pursuant to the terms of tribal-state gaming compacts. These~~  
37 ~~moneys shall be available for appropriation by the Legislature for~~  
38 ~~the following purposes:~~

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

- 1 ~~(b) Grants, including any administrative costs, for the support~~
- 2 ~~of state and local government agencies impacted by tribal~~
- 3 ~~government gaming.~~
- 4 ~~(c) Compensation for regulatory costs incurred by the State~~
- 5 ~~Gaming Agency and the Department of Justice in connection with~~
- 6 ~~the implementation and administration of tribal-state gaming~~
- 7 ~~compacts.~~
- 8 ~~(d) Payment of shortfalls that may occur in the Indian Gaming~~
- 9 ~~Revenue Sharing Trust Fund. This shall be the priority use of~~
- 10 ~~moneys in the Indian Gaming Special Distribution Fund.~~
- 11 ~~(e) Disbursements for the purpose of implementing the terms~~
- 12 ~~of tribal labor relations ordinances promulgated in accordance with~~
- 13 ~~the terms of tribal-state gaming compacts ratified pursuant to~~
- 14 ~~Chapter 874 of the Statutes of 1999. No more than 10 percent of~~
- 15 ~~the funds appropriated in the Budget Act of 2000 for~~
- 16 ~~implementation of tribal labor relations ordinances promulgated~~
- 17 ~~in accordance with those compacts shall be expended in the~~
- 18 ~~selection of the Tribal Labor Panel. The Department of Personnel~~
- 19 ~~Administration shall consult with and seek input from the parties~~
- 20 ~~prior to any expenditure for purposes of selecting the Tribal Labor~~
- 21 ~~Panel. Other than the cost of selecting the Tribal Labor Panel, there~~
- 22 ~~shall be no further disbursements until the Tribal Labor Panel,~~
- 23 ~~which is selected by mutual agreement of the parties, is in place.~~
- 24 ~~(f) Any other purpose specified by law.~~
- 25 ~~(g) Priority for funding from the Indian Gaming Special~~
- 26 ~~Distribution Fund is in the following descending order:~~
- 27 ~~(1) An appropriation to the Indian Gaming Revenue Sharing~~
- 28 ~~Trust Fund in an aggregate amount sufficient to make payments~~
- 29 ~~of any shortfalls that may occur in the Indian Gaming Revenue~~
- 30 ~~Sharing Trust Fund.~~
- 31 ~~(2) An appropriation to the Office of Problem and Pathological~~
- 32 ~~Gambling within the State Department of Alcohol and Drug~~
- 33 ~~Programs for problem gambling prevention programs.~~
- 34 ~~(3) The amount appropriated in the annual Budget Act for~~
- 35 ~~allocation between the Department of Justice and the California~~
- 36 ~~Gambling Control Commission for regulatory functions that~~
- 37 ~~directly relates to Indian gaming.~~
- 38 ~~(4) An appropriation for the support of local government~~
- 39 ~~agencies impacted by tribal gaming.~~

1 SEC. 23. Section 12012.90 of the Government Code is  
2 repealed.

3 ~~12012.90. (a) (1) For each fiscal year commencing with the~~  
4 ~~2002-03 fiscal year to the 2004-05 fiscal year, inclusive, the~~  
5 ~~California Gambling Control Commission shall determine the~~  
6 ~~aggregate amount of shortfalls in payments that occurred in the~~  
7 ~~Indian Gaming Revenue Sharing Trust Fund pursuant to Section~~  
8 ~~4.3.2.1 of the tribal-state gaming compacts ratified and in effect~~  
9 ~~as provided in subdivision (f) of Section 19 of Article IV of the~~  
10 ~~California Constitution as determined below:~~

11 ~~(A) For each eligible recipient Indian tribe that received money~~  
12 ~~for all four quarters of the fiscal year, the difference between one~~  
13 ~~million one hundred thousand dollars (\$1,100,000) and the actual~~  
14 ~~amount paid to each eligible recipient Indian tribe during the fiscal~~  
15 ~~year from the Indian Gaming Revenue Sharing Trust Fund.~~

16 ~~(B) For each eligible recipient Indian tribe that received moneys~~  
17 ~~for less than four quarters of the fiscal year, the difference between~~  
18 ~~two hundred seventy-five thousand dollars (\$275,000) for each~~  
19 ~~quarter in the fiscal year that a recipient Indian tribe was eligible~~  
20 ~~to receive moneys and the actual amount paid to each eligible~~  
21 ~~recipient Indian tribe during the fiscal year from the Indian Gaming~~  
22 ~~Revenue Sharing Trust Fund.~~

23 ~~(2) For purposes of this section, "eligible recipient Indian tribe"~~  
24 ~~means a noncompact tribe, as defined in Section 4.3.2(a)(i) of the~~  
25 ~~tribal-state gaming compacts ratified and in effect as provided in~~  
26 ~~subdivision (f) of Section 19 of Article IV of the California~~  
27 ~~Constitution.~~

28 ~~(b) The California Gambling Control Commission shall provide~~  
29 ~~to the committee in the Senate and Assembly that considers the~~  
30 ~~State Budget an estimate of the amount needed to backfill the~~  
31 ~~Indian Gaming Revenue Sharing Trust Fund on or before the date~~  
32 ~~of the May budget revision for each fiscal year.~~

33 ~~(c) An eligible recipient Indian tribe may not receive an amount~~  
34 ~~from the backfill appropriated following the estimate made~~  
35 ~~pursuant to subdivision (b) that would give the eligible recipient~~  
36 ~~Indian tribe an aggregate amount in excess of two hundred~~  
37 ~~seventy-five thousand dollars (\$275,000) per eligible quarter. Any~~  
38 ~~funds transferred from the Indian Gaming Special Distribution~~  
39 ~~Fund to the Indian Gaming Revenue Sharing Trust Fund that result~~  
40 ~~in a surplus shall revert back to the Indian Gaming Special~~

1 Distribution Fund following the authorization of the final payment  
2 of the fiscal year.

3 ~~(d) Upon a transfer of moneys from the Indian Gaming Special~~  
4 ~~Distribution Fund to the Indian Gaming Revenue Sharing Trust~~  
5 ~~Fund and appropriation from the trust fund, the California~~  
6 ~~Gambling Control Commission shall distribute the moneys without~~  
7 ~~delay to eligible recipient Indian tribes for each quarter that a tribe~~  
8 ~~was eligible to receive a distribution during the fiscal year~~  
9 ~~immediately preceding.~~

10 ~~(e) For each fiscal year commencing with the 2005-06 fiscal~~  
11 ~~year, all of the following shall apply and subdivisions (b) to (d),~~  
12 ~~inclusive, shall not apply:~~

13 ~~(1) On or before the day of the May budget revision for each~~  
14 ~~fiscal year, the California Gambling Control Commission shall~~  
15 ~~determine the anticipated total amount of shortfalls in payment~~  
16 ~~likely to occur in the Indian Gaming Revenue Sharing Trust Fund~~  
17 ~~for the upcoming fiscal year, and shall provide to the committee~~  
18 ~~in the Senate and Assembly that considers the State Budget an~~  
19 ~~estimate of the amount needed to transfer from the Indian Gaming~~  
20 ~~Special Distribution Fund to backfill the Indian Gaming Revenue~~  
21 ~~Sharing Trust Fund for the next fiscal year. The anticipated total~~  
22 ~~amount of shortfalls to be transferred from the Indian Gaming~~  
23 ~~Special Distribution Fund to the Indian Gaming Revenue Sharing~~  
24 ~~Trust Fund shall be determined by the California Gambling Control~~  
25 ~~Commission as follows:~~

26 ~~(A) The anticipated number of eligible recipient tribes that will~~  
27 ~~be eligible to receive payments for the next fiscal year, multiplied~~  
28 ~~by one million one hundred thousand dollars (\$1,100,000), with~~  
29 ~~that product reduced by the amount anticipated to be paid by the~~  
30 ~~tribes directly into the Indian Gaming Revenue Sharing Trust Fund~~  
31 ~~for the fiscal year.~~

32 ~~(B) This amount shall be based upon actual payments received~~  
33 ~~into the Indian Gaming Revenue Sharing Trust Fund the previous~~  
34 ~~fiscal year, with adjustments made due to amendments to existing~~  
35 ~~tribal-state compacts or newly executed tribal-state compacts with~~  
36 ~~respect to payments to be made to the Indian Gaming Revenue~~  
37 ~~Sharing Trust Fund.~~

38 ~~(2) The Legislature shall transfer from the Indian Gaming~~  
39 ~~Special Distribution Fund to the Indian Gaming Revenue Sharing~~  
40 ~~Trust Fund an amount sufficient for each eligible recipient tribe~~



1 to receive a total not to exceed two hundred seventy-five thousand  
2 dollars (\$275,000) for each quarter in the upcoming fiscal year an  
3 eligible recipient tribe is eligible to receive moneys, for a total not  
4 to exceed one million, one hundred thousand dollars (\$1,100,000)  
5 for the entire fiscal year. The California Gambling Control  
6 Commission shall make quarterly payments from the Indian  
7 Gaming Revenue Sharing Trust Fund to each eligible recipient  
8 Indian tribe within 45 days of the end of each fiscal quarter.

9 (3) If the transfer of funds from the Indian Gaming Special  
10 Distribution Fund to the Indian Gaming Revenue Sharing Trust  
11 Fund results in a surplus, the funds shall remain in the Indian  
12 Gaming Revenue Sharing Trust Fund for disbursement in future  
13 years, and if necessary, adjustments shall be made to future  
14 distributions from the Indian Gaming Special Distribution Fund  
15 to the Revenue Sharing Trust Fund.

16 (4) In the event the amount appropriated for the fiscal year is  
17 insufficient to ensure each eligible recipient tribe receives the total  
18 of two hundred seventy-five thousand dollars (\$275,000) for each  
19 fiscal quarter, the Department of Finance, after consultation with  
20 the California Gambling Control Commission, shall submit to the  
21 Legislature a request for a budget augmentation for the current  
22 fiscal year with an explanation as to the reason why the amount  
23 appropriated for the fiscal year was insufficient.

24 (5) At the end of each fiscal quarter, the California Gambling  
25 Control Commission's Indian Gaming Revenue Sharing Trust  
26 Fund report shall include information that identifies each of the  
27 eligible recipient tribes eligible to receive a distribution for that  
28 fiscal quarter, the amount paid into the Indian Gaming Revenue  
29 Sharing Trust Fund by each of the tribes pursuant to the applicable  
30 sections of the tribal-state compact, and the amount necessary to  
31 backfill from the Indian Gaming Special Distribution Fund the  
32 shortfall in the Indian Gaming Revenue Sharing Trust Fund in  
33 order for each eligible recipient tribe to receive the total of two  
34 hundred seventy-five thousand dollars (\$275,000) for the fiscal  
35 quarter.

36 (6) Based upon the projected shortfall in the Indian Gaming  
37 Revenue Sharing Trust Fund, for the 2005-06 fiscal year, the sum  
38 of fifty million dollars (\$50,000,000) is hereby transferred from  
39 the Indian Gaming Special Distribution Fund to the Indian Gaming  
40 Revenue Sharing Trust Fund and is hereby appropriated from that

1 ~~fund to the California Gambling Control Commission for~~  
2 ~~distribution to each eligible recipient tribe pursuant to this section.~~

3 SEC. 24. Chapter 7.5 (commencing with Section 12710) of  
4 Part 2 of Division 3 of Title 2 of the Government Code is repealed.

5 SEC. 25. Title 16.5 (commencing with Section 98020) is added  
6 to the Government Code, to read:

7  
8  
9

TITLE 16.5. TRIBAL GAMING

10  
11

CHAPTER 1. COMPACT RATIFICATION

12 98020. (a) The following tribal-state compacts entered in  
13 accordance with the Indian Gaming Regulatory Act of 1988 (18  
14 U.S.C. Sec. 1166 et seq. and 25 U.S.C. Sec. 2701 et seq.) are  
15 hereby ratified:

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

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

20 (3) The compact between the State of California and the Cher-Ae  
21 Heights Indian Community of Trinidad Rancheria, executed on  
22 July 13, 1998.

23 (4) The compact between the State of California and the Jackson  
24 Rancheria Band of Miwuk Indians, executed on July 13, 1998.

25 (5) The compact between the State of California and the  
26 Mooretown Rancheria of Concow/Maidu Indians, executed on  
27 July 13, 1998.

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

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

33 (8) The compact between the State of California and the Rumsey  
34 Indian Rancheria of Wintun Indians of California, executed on  
35 July 13, 1998.

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

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

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

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

6 (b) Any other compact entered into between the State of  
7 California and any other federally recognized Indian tribe which  
8 is executed after August 24, 1998, is hereby ratified if (1) the  
9 compact is identical in all material respects to any of the compacts  
10 ratified pursuant to subdivision (a), and (2) the compact is not  
11 rejected by each house of the Legislature, two-thirds of the  
12 membership thereof concurring, within 30 days of the date of the  
13 submission of the compact to the Legislature by the Governor.  
14 However, if the 30-day period ends during a joint recess of the  
15 Legislature, the period shall be extended until the fifteenth day  
16 following the day on which the Legislature reconvenes. A compact  
17 will be deemed to be materially identical to a compact ratified  
18 pursuant to subdivision (a) if the Governor certifies that it is  
19 materially identical at the time he or she submits it to the  
20 Legislature.

21 (c) The Legislature acknowledges the right of federally  
22 recognized tribes to exercise their sovereignty to negotiate and  
23 enter into compacts with the state that are materially different from  
24 the compacts ratified pursuant to subdivision (a). These compacts  
25 shall be ratified upon approval of each house of the Legislature, a  
26 majority of the membership thereof concurring.

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

37 (e) The Governor is authorized to waive the state's immunity  
38 to suit in federal court in connection with any compact negotiated  
39 with an Indian tribe or any action brought by an Indian tribe under

1 the Indian Gaming Regulatory Act (18 U.S.C. Sec. 1166 et seq.  
2 and 25 U.S.C. Sec. 2701 et seq.).

3 (f) In deference to tribal sovereignty, the execution of, and  
4 compliance with the terms of, any compact specified under  
5 subdivision (a) or (b) shall not be deemed to constitute a project  
6 for purposes of the California Environmental Quality Act (Division  
7 13 (commencing with Section 21000) of the Public Resources  
8 Code).

9 (g) Nothing in this section shall be interpreted to authorize the  
10 unilateral imposition of a statewide limit on the number of lottery  
11 devices or of any allocation system for lottery devices on any  
12 Indian tribe that has not entered into a compact that provides for  
13 such a limit or allocation system. Each tribe may negotiate  
14 separately with the state over these matters on a  
15 government-to-government basis.

16 98021. (a) The following tribal-state gaming compacts entered  
17 into in accordance with the Indian Gaming Regulatory Act of 1988  
18 (18 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et  
19 seq.) are hereby ratified:

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

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

24 (3) The compact between the State of California and the Big  
25 Sandy Rancheria Band of Mono Indians, executed on September  
26 10, 1999.

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

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

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

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

35 (8) The compact between the State of California and the  
36 Cabazon Band of Mission Indians, executed on September 10,  
37 1999.

38 (9) The compact between the State of California and the Cahto  
39 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 Campo  
5 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 Colusa  
14 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 Kumeyaay, executed on September 10, 1999.
- 22 (19) The compact between the State of California and the Hoopa  
23 Valley Tribe, executed on September 10, 1999.
- 24 (20) The compact between the State of California and the  
25 Hopland Band of Pomo Indians, executed on September 10, 1999.
- 26 (21) The compact between the State of California and the  
27 Jackson Band of Mi-Wuk Indians, executed on September 10,  
28 1999.
- 29 (22) The compact between the State of California and the Jamul  
30 Indian Reservation, executed on September 10, 1999.
- 31 (23) The compact between the State of California and the La  
32 Jolla Indian Reservation, executed on September 10, 1999.
- 33 (24) The compact between the State of California and the  
34 Manzanita Tribe of Kumeyaay Indians, executed on September  
35 10, 1999.
- 36 (25) The compact between the State of California and the Mesa  
37 Grande Band of Mission Indians, executed on September 10, 1999.
- 38 (26) The compact between the State of California and the  
39 Middletown Rancheria Band of Pomo Indians, executed on  
40 September 10, 1999.

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

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

4 (44) The compact between the State of California and the  
5 Shingle Springs Band of Miwok Indians, executed on September  
6 10, 1999.

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

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

11 (47) The compact between the State of California and the  
12 Susanville Indian Rancheria, executed on September 10, 1999.

13 (48) The compact between the State of California and the Sycuan  
14 Band of Kumeyaay Indians, executed on September 10, 1999.

15 (49) The compact between the State of California and the Table  
16 Mountain Rancheria, executed on September 10, 1999.

17 (50) The compact between the State of California and the  
18 Trinidad Rancheria, executed on September 10, 1999.

19 (51) The compact between the State of California and the Tule  
20 River Indian Tribe, executed on September 10, 1999.

21 (52) The compact between the State of California and the  
22 Tuolumne Band of Me-wuk Indians, executed on September 10,  
23 1999.

24 (53) The compact between the State of California and the  
25 Twenty Nine Palms Band of Mission Indians, executed on  
26 September 10, 1999.

27 (54) The compact between the State of California and the Tyme  
28 Maidu Tribe, Berry Creek Rancheria, executed on September 10,  
29 1999.

30 (55) The compact between the State of California and the United  
31 Auburn Indian Community, executed on September 10, 1999.

32 (56) The compact between the State of California and the Viejas  
33 Band of Kumeyaay Indians, executed on September 10, 1999.

34 (57) The compact between the State of California and the Coyote  
35 Valley Band of Pomo Indians, executed on September 10, 1999.

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

1 (1) The compact is identical in all material respects to any of  
2 the compacts expressly ratified pursuant to subdivision (a). A  
3 compact shall be deemed to be materially identical to a compact  
4 ratified pursuant to subdivision (a) if the Governor certifies it is  
5 materially identical at the time he or she submits it to the  
6 Legislature.

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

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

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

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



1 (f) Upon receipt of a statute ratifying a tribal-state compact  
2 negotiated and executed pursuant to subdivision (c), or upon the  
3 expiration of the review period described in subdivision (b), the  
4 Secretary of State shall forward a copy of the executed compact  
5 and the ratifying statute, if applicable, to the Secretary of the  
6 Interior for his or her review and approval, in accordance with  
7 paragraph (8) of subsection (d) of Section 2710 of Title 25 of the  
8 United States Code.

9 (g) In deference to tribal sovereignty, neither the execution of  
10 a tribal-state gaming compact nor the on-reservation impacts of  
11 compliance with the terms of a tribal-state gaming compact shall  
12 be deemed to constitute a project for purposes of the California  
13 Environmental Quality Act (Division 13 (commencing with Section  
14 21000) of the Public Resources Code).

15 98022. The tribal-state gaming compact entered into in  
16 accordance with the Indian Gaming Regulatory Act of 1988 (18  
17 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)  
18 between the State of California and the Torres-Martinez Desert  
19 Cahuilla Indians, executed on August 12, 2003, is hereby ratified.

20 98023. (a) The tribal-state gaming compact entered into in  
21 accordance with the Indian Gaming Regulatory Act of 1988 (18  
22 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)  
23 between the State of California and the La Posta Band of Diegueño  
24 Mission Indians of the La Posta Indian Reservation, California,  
25 executed on September 9, 2003, is hereby ratified.

26 (b) The tribal-state gaming compact entered into in accordance  
27 with the Indian Gaming Regulatory Act of 1988 (18 U.S.C. Secs.  
28 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.) between the  
29 State of California and the Santa Ysabel Band of Diegueño Mission  
30 Indians of the Santa Ysabel Reservation, California, executed on  
31 September 8, 2003, is hereby ratified.

32 98024. (a) The following amendments to tribal-state gaming  
33 compacts entered into in accordance with the Indian Gaming  
34 Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and  
35 25 U.S.C. Sec. 2701 et seq.) are hereby ratified:

36 (1) The amendment of the compact between the State of  
37 California and the Pala Band of Mission Indians, executed on June  
38 21, 2004.

- 1 (2) The amendment of the compact between the State of  
 2 California and the Pauma Band of Luiseno Mission Indians of the  
 3 Pauma and Yuima Reservation, executed on June 21, 2004.
- 4 (3) The amendment of the compact between the State of  
 5 California and the Rumsey Band of Wintun Indians, executed on  
 6 June 21, 2004.
- 7 (4) The amendment of the compact between the State of  
 8 California and the United Auburn Indian Community, executed  
 9 on June 21, 2004.
- 10 (5) The amendment of the compact between the State of  
 11 California and the Viejas Band of Kumeyaay Indians, executed  
 12 on June 21, 2004.
- 13 (b) (1) In deference to tribal sovereignty, none of the following  
 14 shall be deemed a project for purposes of the California  
 15 Environmental Quality Act (Division 13 (commencing with Section  
 16 21000) of the Public Resources Code):
- 17 (A) The execution of an amendment of tribal-state gaming  
 18 compact ratified by this section.
- 19 (B) The execution of an intergovernmental agreement between  
 20 a tribe and a county or city government negotiated pursuant to the  
 21 express authority of, or as expressly referenced in, an amended  
 22 tribal-state gaming compact ratified by this section.
- 23 (C) The on-reservation impacts of compliance with the terms  
 24 of an amended tribal-state gaming compact ratified by this section.
- 25 (D) 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 a city  
 30 and county from the requirements of the California Environmental  
 31 Quality Act.
- 32 98025. (a) The following tribal-state gaming compacts and  
 33 amendments of tribal-state gaming compacts entered into in  
 34 accordance with the Indian Gaming Regulatory Act of 1988 (18  
 35 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)  
 36 are hereby ratified:
- 37 (1) The amendment of the compact between the State of  
 38 California and the Buena Vista Rancheria of Me-Wuk Indians,  
 39 executed on August 23, 2004.

1 (2) The compact between the State of California and the Fort  
2 Mojave Indian Tribe, executed on August 23, 2004.

3 (3) The compact between the State of California and the Coyote  
4 Valley Band of Pomo Indians, executed on August 23, 2004.

5 (4) The amendment to the compact between the State of  
6 California and the Ewiiapaayp Band of Kumeyaay Indians,  
7 executed on August 23, 2004.

8 (5) The amendment to the compact between the State of  
9 California and the Quechan Tribe of the Fort Yuma Indian  
10 Reservation, executed on June 26, 2006.

11 (b) The terms of each compact apply only to the State of  
12 California and the tribe that has signed it, and the terms of these  
13 compacts do not bind any tribe that is not a signatory to any of the  
14 compacts. The Legislature acknowledges the right of federally  
15 recognized tribes to exercise their sovereignty to negotiate and  
16 enter into compacts with the state that are materially different from  
17 the compacts ratified pursuant to subdivision (a).

18 (c) (1) In deference to tribal sovereignty, none of the following  
19 shall be deemed a project for purposes of the California  
20 Environmental Quality Act (Division 13 (commencing with Section  
21 21000) of the Public Resources Code):

22 (A) The execution of an amendment of a tribal-state gaming  
23 compact ratified by this section.

24 (B) The execution of a tribal-state gaming compact ratified by  
25 this section.

26 (C) The execution of an intergovernmental agreement between  
27 a tribe and a county or city government negotiated pursuant to the  
28 express authority of, or as expressly referenced in, a tribal-state  
29 gaming compact or an amended tribal-state gaming compact  
30 ratified by this section.

31 (D) The execution of an intergovernmental agreement between  
32 a tribe and the California Department of Transportation negotiated  
33 pursuant to the express authority of, or as expressly referenced in,  
34 a tribal-state gaming compact or an amended tribal-state gaming  
35 compact ratified by this section.

36 (E) The on-reservation impacts of compliance with the terms  
37 of a tribal-state gaming compact or an amended tribal-state gaming  
38 compact ratified by this section.

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

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

8 (d) Revenue contributions made to the state by tribes pursuant  
9 to the tribal-state gaming compacts and amendments of tribal-state  
10 gaming compacts ratified by this section shall be deposited in the  
11 General Fund.

12 98026. (a) The amendment to the tribal-state gaming compact  
13 entered into in accordance with the Indian Gaming Regulatory Act  
14 of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec.  
15 2701 et seq.) between the State of California and the Agua Caliente  
16 Band of Cahuilla Indians, executed on August 8, 2006, is hereby  
17 ratified.

18 (b) (1) In deference to tribal sovereignty, none of the following  
19 shall be deemed a project for purposes of the California  
20 Environmental Quality Act (Division 13 (commencing with Section  
21 21000) of the Public Resources Code):

22 (A) The execution of an amendment to the amended tribal-state  
23 gaming compact ratified by this section.

24 (B) The execution of the amended tribal-state gaming compact  
25 ratified by this section.

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

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

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

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

39 (2) Except as expressly provided herein, nothing in this  
40 subdivision shall be construed to exempt a city, county, or city

1 and county, or the California Department of Transportation, from  
2 the requirements of the California Environmental Quality Act.

3 (c) Revenue contributions made to the state by tribes pursuant  
4 to the amended tribal-state gaming compact ratified by this section  
5 shall be deposited in the General Fund.

6 98027. The memorandum of agreement entered into between  
7 the State of California and the Agua Caliente Band of Cahuilla  
8 Indians, executed on June 27, 2007, is hereby approved.

9 98028. (a) The amendment to the tribal-state gaming compact  
10 entered into in accordance with the Indian Gaming Regulatory Act  
11 of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec.  
12 2701 et seq.) between the State of California and the San Manuel  
13 Band of Mission Indians, executed on August 28, 2006, is hereby  
14 ratified.

15 (b) The terms of the amended compact ratified by this section  
16 shall apply only to the State of California and the tribe that has  
17 signed it, and shall not bind any tribe that is not a signatory to the  
18 amended compact. The Legislature acknowledges the right of  
19 federally recognized tribes to exercise their sovereignty to negotiate  
20 and enter into compacts with the state that are materially different  
21 from the amended compact ratified pursuant to subdivision (a).

22 (c) (1) In deference to tribal sovereignty, none of the following  
23 shall be deemed a project for purposes of the California  
24 Environmental Quality Act (Division 13 (commencing with Section  
25 21000) of the Public Resources Code):

26 (A) The execution of an amendment to the amended tribal-state  
27 gaming compact ratified by this section.

28 (B) The execution of the amended tribal-state gaming compact  
29 ratified by this section.

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

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

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

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

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

8 (d) Revenue contributions made to the state by tribes pursuant  
9 to the amended tribal-state gaming compact ratified by this section  
10 shall be deposited in the General Fund, or as otherwise provided  
11 in the amended compact.

12 98029. The letter of agreement entered into between the State  
13 of California and the San Manuel Band of Mission Indians,  
14 executed on September 5, 2007, is hereby approved.

15 98030. (a) The amendment to the tribal-state gaming compact  
16 entered into in accordance with the Indian Gaming Regulatory Act  
17 of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec.  
18 2701 et seq.) between the State of California and the Morongo  
19 Band of Mission Indians, executed on August 29, 2006, is hereby  
20 ratified.

21 (b) (1) In deference to tribal sovereignty, none of the following  
22 shall be deemed a project for purposes of the California  
23 Environmental Quality Act (Division 13 (commencing with Section  
24 21000) of the Public Resources Code):

25 (A) The execution of an amendment to the amended tribal-state  
26 gaming compact ratified by this section.

27 (B) The execution of the amended tribal-state gaming compact  
28 ratified by this section.

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

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

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

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

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

8 (c) Revenue contributions made to the state by tribes pursuant  
9 to the amended tribal-state gaming compact ratified by this section  
10 shall be deposited in the General Fund.

11 98031. The memorandum of agreement entered into between  
12 the State of California and the Morongo Band of Mission Indians,  
13 executed on June 27, 2007, is hereby approved.

14 98032. (a) The amendment to the tribal-state gaming compact  
15 entered into in accordance with the Indian Gaming Regulatory Act  
16 of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec.  
17 2701 et seq.) between the State of California and the Pechanga  
18 Band of Luiseño Mission Indians, executed on August 28, 2006,  
19 is hereby ratified.

20 (b) (1) In deference to tribal sovereignty, none of the following  
21 shall be deemed a project for purposes of the California  
22 Environmental Quality Act (Division 13 (commencing with Section  
23 21000) of the Public Resources Code):

24 (A) The execution of an amendment to the amended tribal-state  
25 gaming compact ratified by this section.

26 (B) The execution of the amended tribal-state gaming compact  
27 ratified by this section.

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

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

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

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

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

5 (c) Revenue contributions made to the state by the tribe pursuant  
6 to the amended tribal-state gaming compact ratified by this section  
7 shall be deposited in the General Fund.

8 98033. The memorandum of agreement entered into between  
9 the State of California and the Pechanga Band of Luiseño Indians,  
10 executed on June 27, 2007, is hereby approved.

11 98034. (a) The amendment to the tribal-state gaming compact  
12 entered into in accordance with the Indian Gaming Regulatory Act  
13 of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec.  
14 2701 et seq.) between the State of California and the Sycuan Band  
15 of the Kumeyaay Nation, executed on August 30, 2006, is hereby  
16 ratified.

17 (b) The terms of the amended compact ratified by this section  
18 shall apply only to the State of California and the tribe that has  
19 signed it, and shall not bind any tribe that is not a signatory to the  
20 amended compact. The Legislature acknowledges the right of  
21 federally recognized tribes to exercise their sovereignty to negotiate  
22 and enter into compacts with the state that are materially different  
23 from the amended compact ratified pursuant to subdivision (a).

24 (c) (1) In deference to tribal sovereignty, none of the following  
25 shall be deemed a project for purposes of the California  
26 Environmental Quality Act (Division 13 (commencing with Section  
27 21000) of the Public Resources Code):

28 (A) The execution of an amendment to the amended tribal-state  
29 gaming compact ratified by this section.

30 (B) The execution of the amended tribal-state gaming compact  
31 ratified by this section.

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

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



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

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

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

10 (d) Revenue contributions made to the state by the tribe pursuant  
11 to the amended tribal-state gaming compact ratified by this section  
12 shall be deposited in the General Fund, or as otherwise provided  
13 in the amended compact.

14 98035. The memorandum of agreement entered into between  
15 the State of California and the Sycuan Band of the Kumeyaay  
16 Nation, executed on June 27, 2007, is hereby approved.

17 98036. (a) The tribal-state gaming compact entered into in  
18 accordance with the Indian Gaming Regulatory Act of 1988 (18  
19 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)  
20 between the State of California and the Yurok Tribe of the Yurok  
21 Reservation, executed on August 29, 2006, is hereby ratified.

22 (b) (1) In deference to tribal sovereignty, none of the following  
23 shall be deemed a project for purposes of the California  
24 Environmental Quality Act (Division 13 (commencing with Section  
25 21000) of the Public Resources Code):

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

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

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

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

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

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

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

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

11 98037. (a) The amendment to the tribal-state gaming compact  
12 entered into in accordance with the Indian Gaming Regulatory Act  
13 of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec.  
14 2701 et seq.) between the State of California and the Shingle  
15 Springs Band of Miwok Indians, executed on June 30, 2008, is  
16 hereby ratified.

17 (b) (1) In deference to tribal sovereignty, none of the following  
18 shall be deemed a project for purposes of the California  
19 Environmental Quality Act (Division 13 (commencing with Section  
20 21000) of the Public Resources Code):

21 (A) The execution of an amendment to the amended tribal-state  
22 gaming compact ratified by this section.

23 (B) The execution of the amended tribal-state gaming compact  
24 ratified by this section.

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

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

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

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

38 (2) Except as expressly provided herein, nothing in this  
39 subdivision shall be construed to exempt a city, county, or city

1 and county, or the California Department of Transportation, from  
2 the requirements of the California Environmental Quality Act.

3 (c) Revenue contributions made to the state by the tribe pursuant  
4 to the tribal-state gaming compact ratified by this section shall be  
5 deposited in the General Fund, except as otherwise provided by  
6 the amended compact or by a statute directing that a portion of the  
7 revenue contributions be deposited in a special fund.

8 98038. (a) The tribal-state gaming compact entered into in  
9 accordance with the Indian Gaming Regulatory Act of 1988 (18  
10 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)  
11 between the State of California and the Habematolel Pomo of  
12 Upper Lake, executed on March 17, 2011, is hereby ratified.

13 (b) (1) In deference to tribal sovereignty, none of the following  
14 shall be deemed a project for purposes of the California  
15 Environmental Quality Act (Division 13 (commencing with Section  
16 21000) of the Public Resources Code):

17 (A) The execution of an amendment to the tribal-state gaming  
18 compact ratified by this section.

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

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

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

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

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

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

38 98039. (a) The tribal-state gaming compact entered into in  
39 accordance with the Indian Gaming Regulatory Act of 1988 (18  
40 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)

1 between the State of California and the Pinoleville Pomo Nation,  
2 executed on August 8, 2011, is hereby ratified.

3 (b) (1) In deference to tribal sovereignty, none of the following  
4 shall be deemed a project for purposes of the California  
5 Environmental Quality Act (Division 13 (commencing with Section  
6 21000) of the Public Resources Code):

7 (A) The execution of an amendment to the tribal-state gaming  
8 compact ratified by this section.

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

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

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

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

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

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

28

29

CHAPTER 2. TRIBAL GAMING REVENUE

30

31 98050. There is hereby created in the State Treasury a special  
32 fund called the “Indian Gaming Revenue Sharing Trust Fund” for  
33 the receipt and deposit of moneys derived from gaming device  
34 license fees that are paid into the fund pursuant to the terms of  
35 tribal-state gaming compacts for the purpose of making  
36 distributions to noncompact tribes. Moneys in the Indian Gaming  
37 Revenue Sharing Trust Fund shall be available to the California  
38 Gambling Control Commission, upon appropriation by the  
39 Legislature, for the purpose of making distributions to noncompact

1 tribes, in accordance with distribution plans specified in tribal-state  
2 gaming compacts.

3 98051. There is hereby created in the State Treasury a fund  
4 called the “Indian Gaming Special Distribution Fund” for the  
5 receipt and deposit of moneys received by the state from Indian  
6 tribes pursuant to the terms of tribal-state gaming compacts. These  
7 moneys shall be available for appropriation by the Legislature for  
8 the following purposes:

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

11 (b) Grants, including any administrative costs, for the support  
12 of state and local government agencies impacted by tribal  
13 government gaming.

14 (c) Compensation for regulatory costs incurred by the State  
15 Gaming Agency and the Department of Justice in connection with  
16 the implementation and administration of tribal-state gaming  
17 compacts.

18 (d) Payment of shortfalls that may occur in the Indian Gaming  
19 Revenue Sharing Trust Fund. This shall be the priority use of  
20 moneys in the Indian Gaming Special Distribution Fund.

21 (e) Disbursements for the purpose of implementing the terms  
22 of tribal labor relations ordinances promulgated in accordance with  
23 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 Human  
29 Resources shall consult with and seek input from the parties prior  
30 to any expenditure for purposes of selecting the Tribal Labor Panel.  
31 Other than the cost of selecting the Tribal Labor Panel, there shall  
32 be no further disbursements until the Tribal Labor Panel, which  
33 is selected by mutual agreement of the parties, is in place.

34 (f) Any other purpose specified by law.

35 (g) Priority for funding from the Indian Gaming Special  
36 Distribution Fund is in the following descending order:

37 (1) An appropriation to the Indian Gaming Revenue Sharing  
38 Trust Fund in an aggregate amount sufficient to make payments  
39 of any shortfalls that may occur in the Indian Gaming Revenue  
40 Sharing Trust Fund.

1 (2) An appropriation to the Office of Problem and Pathological  
2 Gambling within the State Department of Alcohol and Drug  
3 Programs for problem gambling prevention programs.

4 (3) The amount appropriated in the annual Budget Act for  
5 allocation between the Department of Justice and the California  
6 Gambling Control Commission for regulatory functions that  
7 directly relates to Indian gaming.

8 (4) An appropriation for the support of local government  
9 agencies impacted by tribal gaming.

10 98052. (a) (1) For each fiscal year commencing with the  
11 2002–03 fiscal year to the 2004–05 fiscal year, inclusive, the  
12 California Gambling Control Commission shall determine the  
13 aggregate amount of shortfalls in payments that occurred in the  
14 Indian Gaming Revenue Sharing Trust Fund pursuant to Section  
15 4.3.2.1 of the tribal-state gaming compacts ratified and in effect  
16 as provided in subdivision (f) of Section 19 of Article IV of the  
17 California Constitution as determined below:

18 (A) For each eligible recipient Indian tribe that received money  
19 for all four quarters of the fiscal year, the difference between one  
20 million one hundred thousand dollars (\$1,100,000) and the actual  
21 amount paid to each eligible recipient Indian tribe during the fiscal  
22 year from the Indian Gaming Revenue Sharing Trust Fund.

23 (B) For each eligible recipient Indian tribe that received moneys  
24 for less than four quarters of the fiscal year, the difference between  
25 two hundred seventy-five thousand dollars (\$275,000) for each  
26 quarter in the fiscal year that a recipient Indian tribe was eligible  
27 to receive moneys and the actual amount paid to each eligible  
28 recipient Indian tribe during the fiscal year from the Indian Gaming  
29 Revenue Sharing Trust Fund.

30 (2) For purposes of this section, “eligible recipient Indian tribe”  
31 means a noncompact tribe, as defined in Section 4.3.2(a)(i) of the  
32 tribal-state gaming compacts ratified and in effect as provided in  
33 subdivision (f) of Section 19 of Article IV of the California  
34 Constitution.

35 (b) The California Gambling Control Commission shall provide  
36 to the committee in the Senate and Assembly that considers the  
37 State Budget an estimate of the amount needed to backfill the  
38 Indian Gaming Revenue Sharing Trust Fund on or before the date  
39 of the May budget revision for each fiscal year.

1 (c) An eligible recipient Indian tribe may not receive an amount  
2 from the backfill appropriated following the estimate made  
3 pursuant to subdivision (b) that would give the eligible recipient  
4 Indian tribe an aggregate amount in excess of two hundred  
5 seventy-five thousand dollars (\$275,000) per eligible quarter. Any  
6 funds transferred from the Indian Gaming Special Distribution  
7 Fund to the Indian Gaming Revenue Sharing Trust Fund that result  
8 in a surplus shall revert back to the Indian Gaming Special  
9 Distribution Fund following the authorization of the final payment  
10 of the fiscal year.

11 (d) Upon a transfer of moneys from the Indian Gaming Special  
12 Distribution Fund to the Indian Gaming Revenue Sharing Trust  
13 Fund and appropriation from the trust fund, the California  
14 Gambling Control Commission shall distribute the moneys without  
15 delay to eligible recipient Indian tribes for each quarter that a tribe  
16 was eligible to receive a distribution during the fiscal year  
17 immediately preceding.

18 (e) For each fiscal year commencing with the 2005–06 fiscal  
19 year, all of the following shall apply and subdivisions (b) to (d),  
20 inclusive, shall not apply:

21 (1) On or before the day of the May budget revision for each  
22 fiscal year, the California Gambling Control Commission shall  
23 determine the anticipated total amount of shortfalls in payment  
24 likely to occur in the Indian Gaming Revenue Sharing Trust Fund  
25 for the upcoming fiscal year, and shall provide to the committee  
26 in the Senate and Assembly that considers the State Budget an  
27 estimate of the amount needed to transfer from the Indian Gaming  
28 Special Distribution Fund to backfill the Indian Gaming Revenue  
29 Sharing Trust Fund for the next fiscal year. The anticipated total  
30 amount of shortfalls to be transferred from the Indian Gaming  
31 Special Distribution Fund to the Indian Gaming Revenue Sharing  
32 Trust Fund shall be determined by the California Gambling Control  
33 Commission as follows:

34 (A) The anticipated number of eligible recipient tribes that will  
35 be eligible to receive payments for the next fiscal year, multiplied  
36 by one million one hundred thousand dollars (\$1,100,000), with  
37 that product reduced by the amount anticipated to be paid by the  
38 tribes directly into the Indian Gaming Revenue Sharing Trust Fund  
39 for the fiscal year.

1 (B) This amount shall be based upon actual payments received  
2 into the Indian Gaming Revenue Sharing Trust Fund the previous  
3 fiscal year, with adjustments made due to amendments to existing  
4 tribal-state compacts or newly executed tribal-state compacts with  
5 respect to payments to be made to the Indian Gaming Revenue  
6 Sharing Trust Fund.

7 (2) The Legislature shall transfer from the Indian Gaming  
8 Special Distribution Fund to the Indian Gaming Revenue Sharing  
9 Trust Fund an amount sufficient for each eligible recipient tribe  
10 to receive a total not to exceed two hundred seventy-five thousand  
11 dollars (\$275,000) for each quarter in the upcoming fiscal year an  
12 eligible recipient tribe is eligible to receive moneys, for a total not  
13 to exceed one million, one hundred thousand dollars (\$1,100,000)  
14 for the entire fiscal year. The California Gambling Control  
15 Commission shall make quarterly payments from the Indian  
16 Gaming Revenue Sharing Trust Fund to each eligible recipient  
17 Indian tribe within 45 days of the end of each fiscal quarter.

18 (3) If the transfer of funds from the Indian Gaming Special  
19 Distribution Fund to the Indian Gaming Revenue Sharing Trust  
20 Fund results in a surplus, the funds shall remain in the Indian  
21 Gaming Revenue Sharing Trust Fund for disbursement in future  
22 years, and if necessary, adjustments shall be made to future  
23 distributions from the Indian Gaming Special Distribution Fund  
24 to the Revenue Sharing Trust Fund.

25 (4) In the event the amount appropriated for the fiscal year is  
26 insufficient to ensure each eligible recipient tribe receives the total  
27 of two hundred seventy-five thousand dollars (\$275,000) for each  
28 fiscal quarter, the Department of Finance, after consultation with  
29 the California Gambling Control Commission, shall submit to the  
30 Legislature a request for a budget augmentation for the current  
31 fiscal year with an explanation as to the reason why the amount  
32 appropriated for the fiscal year was insufficient.

33 (5) At the end of each fiscal quarter, the California Gambling  
34 Control Commission's Indian Gaming Revenue Sharing Trust  
35 Fund report shall include information that identifies each of the  
36 eligible recipient tribes eligible to receive a distribution for that  
37 fiscal quarter, the amount paid into the Indian Gaming Revenue  
38 Sharing Trust Fund by each of the tribes pursuant to the applicable  
39 sections of the tribal-state compact, and the amount necessary to  
40 backfill from the Indian Gaming Special Distribution Fund the



1 shortfall in the Indian Gaming Revenue Sharing Trust Fund in  
2 order for each eligible recipient tribe to receive the total of two  
3 hundred seventy-five thousand dollars (\$275,000) for the fiscal  
4 quarter.

5 (6) Based upon the projected shortfall in the Indian Gaming  
6 Revenue Sharing Trust Fund, for the 2005-06 fiscal year, the sum  
7 of fifty million dollars (\$50,000,000) is hereby transferred from  
8 the Indian Gaming Special Distribution Fund to the Indian Gaming  
9 Revenue Sharing Trust Fund and is hereby appropriated from that  
10 fund to the California Gambling Control Commission for  
11 distribution to each eligible recipient tribe pursuant to this section.  
12

13 CHAPTER 3. GRANTS OF TRIBAL GAMING REVENUE TO LOCAL  
14 GOVERNMENT AGENCIES  
15

16 98055. This chapter establishes the method of calculating the  
17 distribution of appropriations from the Indian Gaming Special  
18 Distribution Fund for grants to local government agencies impacted  
19 by tribal gaming.

20 98056. (a) It is the intent of the Legislature to establish a fair  
21 and proportionate system to award grants from the Indian Gaming  
22 Special Distribution Fund for the support of local government  
23 agencies impacted by tribal gaming. It is also the intent of the  
24 Legislature that priority for funding shall be given to local  
25 government agencies impacted by the tribal casinos that contribute  
26 to the Indian Gaming Special Distribution Fund.

27 (b) It is the intent of the Legislature that in the event that any  
28 compact between any tribe and the state takes effect on or after  
29 the effective date of this chapter, or that any compact between any  
30 tribe and the state that took effect on or before May 16, 2000, is  
31 renegotiated and reexecuted at any time after its initial effective  
32 date, money provided to the state by a tribe pursuant to the terms  
33 of these compacts shall be applied on a pro rata basis to the state  
34 costs for the regulation of gaming and for problem gambling  
35 prevention programs in the Office of Problem and Pathological  
36 Gambling within the State Department of Alcohol and Drug  
37 Programs.

38 (c) It is the intent of the Legislature that if any compact between  
39 any tribe and the state takes effect on or after the effective date of  
40 this chapter, or if any compact between any tribe and the state that

1 took effect on or before May 16, 2000, is renegotiated and  
 2 reexecuted at any time after its initial effective date, any revenue  
 3 sharing provisions of that compact that requires distributions to  
 4 nongaming or noncompact tribes shall result in a decrease in the  
 5 amount that the Legislature appropriates pursuant to this chapter.

6 98057. As used in this chapter:

7 (a) “County Tribal Casino Account” means an account  
 8 consisting of all moneys paid by tribes of that county into the  
 9 Indian Gaming Special Distribution Fund after deduction of the  
 10 amounts appropriated pursuant to the priorities specified in Section  
 11 12012.85.

12 (b) “Individual Tribal Casino Accounts” means an account for  
 13 each individual tribe that has paid money into the Indian Gaming  
 14 Special Distribution Fund. The individual tribal casino account  
 15 shall be funded in proportion to the amount that the individual  
 16 tribe has paid into the Indian Gaming Special Distribution Fund.

17 (c) “Local government jurisdiction” or “local jurisdiction” means  
 18 any city, county, or special district.

19 (d) “Special district” means any agency of the state that performs  
 20 governmental or proprietary functions within limited boundaries.  
 21 “Special district” includes a county service area, a maintenance  
 22 district or area, an improvement district or improvement zone, or  
 23 any other zone, district, or area that meets the requirements of this  
 24 subdivision. “Special district” does not include a city, county,  
 25 school district, or community college district.

26 98058. The Department of Finance, in consultation with the  
 27 California Gambling Control Commission, shall calculate the total  
 28 revenue in the Indian Gaming Special Distribution Fund that will  
 29 be available for the current budget year for local government  
 30 agencies impacted by tribal gaming. The department shall include  
 31 this information in the May budget revision.

32 98059. (a) A County Tribal Casino Account is hereby created  
 33 in the treasury for each county that contains a tribal casino.

34 (b) The amount to be deposited into each eligible county’s  
 35 County Tribal Casino Account shall be calculated in the following  
 36 way:

37 (1) (A) For counties that do not have gaming devices subject  
 38 to an obligation to make contributions to the Indian Gaming Special  
 39 Distribution Fund, the total amount to be appropriated by the

1 Legislature for grants to local government agencies impacted by  
2 tribal gaming shall be multiplied by 5 percent.

3 (B) The amount determined pursuant to subparagraph (A) shall  
4 be divided by the aggregate number of gaming devices located in  
5 those counties that do not have gaming devices subject to an  
6 obligation to make contributions to the Indian Gaming Special  
7 Distribution Fund.

8 (C) The amount determined pursuant to subparagraph (B) shall  
9 be multiplied by the number of gaming devices located in each  
10 county for which an appropriation is being calculated that are not  
11 subject to an obligation to make contributions to the Indian Gaming  
12 Special Distribution Fund.

13 (D) The amount determined pursuant to subparagraph (C) shall  
14 be deposited into the County Tribal Casino Account for the county  
15 for which the appropriation was calculated.

16 (2) (A) For counties that have gaming devices subject to an  
17 obligation to make contributions to the Indian Gaming Special  
18 Distribution Fund, the total amount to be appropriated by the  
19 Legislature for grants to local government agencies impacted by  
20 tribal gaming shall be multiplied by 95 percent.

21 (B) The amount determined pursuant to subparagraph (A) shall  
22 be divided by the aggregate number of gaming devices located in  
23 those counties that have gaming devices subject to an obligation  
24 to make contributions to the Indian Gaming Special Distribution  
25 Fund.

26 (C) The amount determined pursuant to subparagraph (B) shall  
27 be multiplied by the number of gaming devices located in each  
28 county for which an appropriation is being calculated that are  
29 subject to an obligation to make contributions to the Indian Gaming  
30 Special Distribution Fund.

31 (D) The amount determined pursuant to subparagraph (C) shall  
32 be deposited into the County Tribal Casino Account for the county  
33 for which the appropriation was calculated.

34 98060. (a) The Controller, acting in consultation with the  
35 California Gambling Control Commission, shall divide the County  
36 Tribal Casino Account for each county that has gaming devices  
37 that are subject to an obligation to make contributions to the Indian  
38 Gaming Special Distribution Fund into a separate account for each  
39 tribe that operates a casino within the county. These accounts shall  
40 be known as Individual Tribal Casino Accounts, and funds may

1 be released from these accounts to make grants selected by an  
 2 Indian Gaming Local Community Benefit Committee pursuant to  
 3 the method established by this section to local jurisdictions  
 4 impacted by tribal casinos. Each Individual Tribal Casino Account  
 5 shall be funded in proportion to the amount that each individual  
 6 tribe paid in the prior fiscal year to the Indian Gaming Special  
 7 Distribution Fund.

8 (b) (1) There is hereby created in each county in which Indian  
 9 gaming is conducted an Indian Gaming Local Community Benefit  
 10 Committee. The selection of all grants from each Individual Tribal  
 11 Casino Account or County Tribal Casino Account shall be made  
 12 by each county’s Indian Gaming Local Community Benefit  
 13 Committee. In selecting grants, the Indian Gaming Local  
 14 Community Benefit Committee shall follow the priorities  
 15 established in subdivision (g) and the requirements specified in  
 16 subdivision (h). This committee has the following additional  
 17 responsibilities:

18 (A) Establishing all application policies and procedures for  
 19 grants from the Individual Tribal Casino Account or County Tribal  
 20 Casino Account.

21 (B) Assessing the eligibility of applications for grants from local  
 22 jurisdictions impacted by tribal gaming operations.

23 (C) Determining the appropriate amount for reimbursement  
 24 from the aggregate county tribal account of the demonstrated costs  
 25 incurred by the county for administering the grant programs. The  
 26 reimbursement for county administrative costs may not exceed 2  
 27 percent of the aggregate county tribal account in any given fiscal  
 28 year.

29 (2) Except as provided in Section 98061, the Indian Gaming  
 30 Local Community Benefit Committee shall be composed of seven  
 31 representatives, consisting of the following:

32 (A) Two representatives from the county, selected by the county  
 33 board of supervisors.

34 (B) Three elected representatives from cities located within four  
 35 miles of a tribal casino in the county, selected by the county board  
 36 of supervisors. In the event that there are no cities located within  
 37 four miles of a tribal casino in the county, other local  
 38 representatives may be selected upon mutual agreement by the  
 39 county board of supervisors and a majority of the tribes paying  
 40 into the Indian Gaming Special Distribution Fund in the county.

1 When there are no cities within four miles of a tribal casino in the  
2 county, and when the Indian Gaming Local Community Benefit  
3 Committee acts on behalf of a county where no tribes pay into the  
4 Indian Gaming Special Distribution Fund, other local  
5 representatives may be selected upon mutual agreement by the  
6 county board of supervisors and a majority of the tribes operating  
7 casinos in the county. However, if only one city is within four  
8 miles of a tribal casino and that same casino is located entirely  
9 within the unincorporated area of that particular county, only one  
10 elected representative from that city shall be included on the Indian  
11 Gaming Local Community Benefit Committee.

12 (C) Two representatives selected upon the recommendation of  
13 a majority of the tribes paying into the Indian Gaming Special  
14 Distribution Fund in each county. When an Indian Gaming Local  
15 Community Benefit Committee acts on behalf of a county where  
16 no tribes pay into the Indian Gaming Special Distribution Fund,  
17 the two representatives may be selected upon the recommendation  
18 of the tribes operating casinos in the county.

19 (c) Sixty percent of each Individual Tribal Casino Account shall  
20 be available for nexus grants on a yearly basis to cities and counties  
21 impacted by tribes that are paying into the Indian Gaming Special  
22 Distribution Fund, according to the four-part nexus test described  
23 in paragraph (1). Grant awards shall be selected by each county's  
24 Indian Gaming Local Community Benefit Committee and shall  
25 be administered by the county. Grants may be awarded on a  
26 multiyear basis, and these multiyear grants shall be accounted for  
27 in the grant process for each year.

28 (1) A nexus test based on the geographical proximity of a local  
29 government jurisdiction to an individual Indian land upon which  
30 a tribal casino is located shall be used by each county's Indian  
31 Gaming Local Community Benefit Committee to determine the  
32 relative priority for grants, using the following criteria:

33 (A) Whether the local government jurisdiction borders the Indian  
34 lands on all sides.

35 (B) Whether the local government jurisdiction partially borders  
36 Indian lands.

37 (C) Whether the local government jurisdiction maintains a  
38 highway, road, or other thoroughfare that is the predominant access  
39 route to a casino that is located within four miles.

1 (D) Whether all or a portion of the local government jurisdiction  
2 is located within four miles of a casino.

3 (2) Fifty percent of the amount specified in subdivision (c) shall  
4 be awarded in equal proportions to local government jurisdictions  
5 that meet all four of the nexus test criteria in paragraph (1). If no  
6 eligible local government jurisdiction satisfies this requirement,  
7 the amount specified in this paragraph shall be made available for  
8 nexus grants in equal proportions to local government jurisdictions  
9 meeting the requirements of paragraph (3) or (4).

10 (3) Thirty percent of the amount specified in subdivision (c)  
11 shall be awarded in equal proportions to local government  
12 jurisdictions that meet three of the nexus test criteria in paragraph  
13 (1). If no eligible local government jurisdiction satisfies this  
14 requirement, the amount specified in this paragraph shall be made  
15 available for nexus grants in equal proportions to local government  
16 jurisdictions meeting the requirements of paragraph (2) or (4).

17 (4) Twenty percent of the amount specified in subdivision (c)  
18 shall be awarded in equal proportions to local government  
19 jurisdictions that meet two of the nexus test criteria in paragraph  
20 (1). If no eligible local government jurisdiction satisfies this  
21 requirement, the amount specified in this paragraph shall be made  
22 available for nexus grants in equal proportions to local government  
23 jurisdictions meeting the requirements of paragraph (2) or (3).

24 (d) Twenty percent of each Individual Tribal Casino Account  
25 shall be available for discretionary grants to local jurisdictions  
26 impacted by tribes that are paying into the Indian Gaming Special  
27 Distribution Fund. These discretionary grants shall be made  
28 available to all local jurisdictions in the county irrespective of any  
29 nexus to impacts from any particular tribal casino, as described in  
30 paragraph (1) of subdivision (c). Grant awards shall be selected  
31 by each county's Indian Gaming Local Community Benefit  
32 Committee and shall be administered by the county. Grants may  
33 be awarded on a multiyear basis, and these multiyear grants shall  
34 be accounted for in the grant process for each year.

35 (e) (1) Twenty percent of each Individual Tribal Casino Account  
36 shall be available for discretionary grants to local jurisdictions  
37 impacted by tribes that are not paying into the Indian Gaming  
38 Special Distribution Fund. These grants shall be made available  
39 to local jurisdictions in the county irrespective of any nexus to  
40 impacts from any particular tribal casino, as described in paragraph

1 (1) of subdivision (c), and irrespective of whether the impacts  
2 presented are from a tribal casino that is not paying into the Indian  
3 Gaming Special Distribution Fund. Grant awards shall be selected  
4 by each county's Indian Gaming Local Community Benefit  
5 Committee and shall be administered by the county. Grants may  
6 be awarded on a multiyear basis, and these multiyear grants shall  
7 be accounted for in the grant process for each year.

8 (A) Grants awarded pursuant to this subdivision are limited to  
9 addressing service-oriented impacts and providing assistance with  
10 one-time large capital projects related to Indian gaming impacts.

11 (B) Grants shall be subject to the sole sponsorship of the tribe  
12 that pays into the Indian Gaming Special Distribution Fund and  
13 the recommendations of the Indian Gaming Local Community  
14 Benefit Committee for that county.

15 (2) If an eligible county does not have a tribal casino operated  
16 by a tribe that does not pay into the Indian Gaming Special  
17 Distribution Fund, the moneys available for discretionary grants  
18 under this subdivision shall be available for distribution pursuant  
19 to subdivision (d).

20 (f) (1) For each county that does not have gaming devices  
21 subject to an obligation to make payments to the Indian Gaming  
22 Special Distribution Fund, funds may be released from the county's  
23 County Tribal Casino Account to make grants selected by the  
24 county's Indian Gaming Local Community Benefit Committee  
25 pursuant to the method established by this section to local  
26 jurisdictions impacted by tribal casinos. These grants shall be made  
27 available to local jurisdictions in the county irrespective of any  
28 nexus to any particular tribal casino. These grants shall follow the  
29 priorities specified in subdivision (g) and the requirements specified  
30 in subdivision (h).

31 (2) Funds not allocated from a county tribal casino account by  
32 the end of each fiscal year shall revert back to the Indian Gaming  
33 Special Distribution Fund. Moneys allocated for the 2003–04 fiscal  
34 year shall be eligible for expenditure through December 31, 2004.

35 (g) The following uses shall be the priorities for the receipt of  
36 grant moneys from Individual Tribal Casino Accounts: law  
37 enforcement, fire services, emergency medical services,  
38 environmental impacts, water supplies, waste disposal, behavioral,  
39 health, planning and adjacent land uses, public health, roads,  
40 recreation and youth programs, and child care programs.

1 (h) In selecting grants pursuant to subdivision (b), an Indian  
2 Gaming Local Community Benefit Committee shall select only  
3 grant applications that mitigate impacts from casinos on local  
4 jurisdictions. If a local jurisdiction uses a grant selected pursuant  
5 to subdivision (b) for any unrelated purpose, the grant shall  
6 terminate immediately and any moneys not yet spent shall revert  
7 to the Indian Gaming Special Distribution Fund. If a local  
8 jurisdiction approves an expenditure that mitigates an impact from  
9 a casino on a local jurisdiction and that also provides other benefits  
10 to the local jurisdiction, the grant selected pursuant to subdivision  
11 (b) shall be used to finance only the proportionate share of the  
12 expenditure that mitigates the impact from the casino.

13 (i) All grants from Individual Tribal Casino Accounts shall be  
14 made only upon the affirmative sponsorship of the tribe paying  
15 into the Indian Gaming Special Distribution Fund from whose  
16 Individual Tribal Casino Account the grant moneys are available  
17 for distribution. Tribal sponsorship shall confirm that the grant  
18 application has a reasonable relationship to a casino impact and  
19 satisfies at least one of the priorities listed in subdivision (g). A  
20 grant may not be made for any purpose that would support or fund,  
21 directly or indirectly, any effort related to the opposition or  
22 challenge to Indian gaming in the state, and, to the extent any  
23 awarded grant is utilized for any prohibited purpose by any local  
24 government, upon notice given to the county by any tribe from  
25 whose Individual Tribal Casino Account the awarded grant went  
26 toward that prohibited use, the grant shall terminate immediately  
27 and any moneys not yet used shall again be made available for  
28 qualified nexus grants.

29 (j) A local government jurisdiction that is a recipient of a grant  
30 from an Individual County Tribal Casino Account or a County  
31 Tribal Casino Account shall provide notice to the public, either  
32 through a slogan, signage, or other mechanism, stating that the  
33 local government project has received funding from the Indian  
34 Gaming Special Distribution Fund and further identifying the  
35 particular Individual Tribal Casino Account from which the grant  
36 derives.

37 (k) (1) Each county's Indian Gaming Local Community Benefit  
38 Committee shall submit to the Controller a list of approved projects  
39 for funding from Individual Tribal Casino Accounts. Upon receipt  
40 of this list, the Controller shall release the funds directly to the



1 local government entities for which a grant has been approved by  
2 the committee.

3 (2) Funds not allocated from an Individual Tribal Casino  
4 Account by the end of each fiscal year shall revert back to the  
5 Indian Gaming Special Distribution Fund. Moneys allocated for  
6 the 2003–04 fiscal year shall be eligible for expenditure through  
7 December 31, 2004. Moneys allocated for the 2008–09 fiscal year  
8 shall be eligible for expenditure through December 31, 2009.

9 (l) Notwithstanding any other law, a local government  
10 jurisdiction that receives a grant from an Individual Tribal Casino  
11 Account shall deposit all funds received in an interest-bearing  
12 account and use the interest from those funds only for the purpose  
13 of mitigating an impact from a casino. If any portion of the funds  
14 in the account is used for any other purpose, the remaining portion  
15 shall revert to the Indian Gaming Special Distribution Fund. As a  
16 condition of receiving further funds under this section, a local  
17 government jurisdiction, upon request of the county, shall  
18 demonstrate to the county that all expenditures made from the  
19 account have been in compliance with the requirements of this  
20 section.

21 98061. In San Diego County, the Indian Gaming Local  
22 Community Benefit Committee shall be comprised of seven  
23 representatives, consisting of the following:

24 (a) Two representatives from the county, selected by the county  
25 board of supervisors.

26 (b) One elected representative from the city located within four  
27 miles of a tribal casino in the county, selected by the county board  
28 of supervisors.

29 (c) Three representatives selected upon the recommendation of  
30 a majority of the tribes paying into the Indian Gaming Special  
31 Distribution Fund in the county.

32 (d) The sheriff of San Diego County.

33 98062. (a) Each county that administers grants from the Indian  
34 Gaming Special Distribution Fund shall provide an annual report  
35 to the Chairperson of the Joint Legislative Budget Committee, the  
36 chairpersons of the Senate and Assembly committees on  
37 governmental organization, and the California Gambling Control  
38 Commission by October 1 of each year detailing the specific  
39 projects funded by all grants in the county’s jurisdiction in the  
40 previous fiscal year, including amounts expended in that fiscal

1 year, but funded from appropriations in prior fiscal years. The  
2 report shall provide detailed information on the following:  
3 (1) The amount of grant funds received by the county.  
4 (2) A description of each project that is funded.  
5 (3) A description of how each project mitigates the impact of  
6 tribal gaming.  
7 (4) The total expenditures for each project.  
8 (5) All administrative costs related to each project, excluding  
9 the county’s administrative fee.  
10 (6) The funds remaining at the end of the fiscal year for each  
11 project.  
12 (7) An explanation regarding how any remaining funds will be  
13 spent for each project, including the estimated time for expenditure.  
14 (8) A description of whether each project is funded once or on  
15 a continuing basis.  
16 (b) A county that does not provide an annual report pursuant to  
17 subdivision (a) shall not be eligible for funding from the Indian  
18 Gaming Special Distribution Fund for the following year.  
19 98063. The State Auditor shall conduct an audit every three  
20 years regarding the allocation and use of moneys from the Indian  
21 Gaming Special Distribution Fund by the recipient of the grant  
22 moneys. The State Auditor shall report its findings to the  
23 Legislature and to all other appropriate entities.  
24 98064. This chapter shall remain in effect only until January  
25 1, 2021, and as of that date is repealed, unless a later enacted statute  
26 that is enacted before January 1, 2021, deletes or extends that date.