

AMENDED IN ASSEMBLY MAY 21, 2012
AMENDED IN ASSEMBLY APRIL 30, 2012
AMENDED IN SENATE MAY 16, 2011
AMENDED IN SENATE APRIL 25, 2011
AMENDED IN SENATE MARCH 29, 2011

SENATE BILL

No. 162

Introduced by ~~Senator~~ *Senators Anderson and Wyland*
(Coauthor: Assembly Member Garrick)

February 2, 2011

An act to amend Section 11019.8 of the Government Code, relating to economic development.

LEGISLATIVE COUNSEL'S DIGEST

SB 162, as amended, Anderson. Economic ~~Development~~ *development*: federally recognized Indian tribes.

Existing law encourages and authorizes all state agencies to cooperate with federally recognized California Indian tribes on matters of economic development and improvement for the Indian tribes. Existing law provides that cooperation by state agencies with federally recognized California Indian tribes on those matters may include certain activities, including, among others, providing information on programs to assist Indian tribes.

Existing federal law requires the Secretary of the Interior to publish a list of all federally recognized Indian tribes in the federal register.

This bill would add to the nonexclusive list of topics that state agencies may cooperate with federally recognized Indian tribes *by consulting on a government-to-government basis, in a respectful and*

meaningful manner, with respect to the transfer of fee land into federal trust status. This a fee-to-trust land acquisition application, as specified. The bill would prohibit a state agency from opposing specified fee-to-trust land acquisition applications. The bill would define a federally recognized Indian tribe as a tribe appearing on the list published by the Secretary of the Interior.

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

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

- 1 SECTION 1. Section 11019.8 of the Government Code is
- 2 amended to read:
- 3 11019.8. (a) All state agencies, as defined in Section 11000,
- 4 are encouraged and authorized to cooperate with federally
- 5 recognized California Indian tribes on matters of economic
- 6 development and improvement for the Indian tribes.
- 7 (b) Cooperation by state agencies with federally recognized
- 8 California Indian tribes may include, but need not be limited to,
- 9 all of the following:
- 10 (1) Providing information on programs available to assist Indian
- 11 tribes.
- 12 (2) Providing technical assistance on the preparation of grants
- 13 and applications for public and private funds, and conducting
- 14 meetings and workshops.
- 15 (3) Any other steps that may reasonably be expected to assist
- 16 Indian tribes to become economically self-sufficient.
- 17 (4) Consulting *on a government-to-government basis, in a*
- 18 *respectful and meaningful manner, with respect to the transfer of*
- 19 *fee land into federal trust status, particular when the acquisition*
- 20 *is a fee-to-trust land acquisition application that is for the purpose*
- 21 *of housing, environmental protection, or cultural preservation.*
- 22 (c) *A state agency shall not oppose a fee-to-trust land acquisition*
- 23 *application that is for the purpose of housing, environmental*
- 24 *protection, or cultural preservation.*
- 25 (e)
- 26 (d) Cooperation by state agencies on economic development
- 27 and improvement for federally recognized California Indian tribes,
- 28 as described in this section, shall not be construed to include
- 29 activities that promote gambling.

1 ~~(d)~~
2 (e) For purposes of this code, or any other California law,
3 “federally recognized tribe” means a tribe that appears on the list
4 of Indian Entities Recognized and Eligible to Receive Services
5 from the United States Bureau of Indian Affairs, published pursuant
6 to Section 479a-1 of Title 25 of the United States Code.

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