

ASSEMBLY BILL

No. 1540

Introduced by Committee on Governmental Organization (Assembly Members Gray (Chair), Linder (Vice Chair), Achadjian, Bigelow, Cooley, Cooper, Jones-Sawyer, Levine, Mayes, Salas, Steinorth, Waldron, and Wilk)

March 26, 2015

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, 12012.56, 12012.57, 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 98075) of Title 16.5 of, the Government Code, relating to gaming.

LEGISLATIVE COUNSEL'S DIGEST

AB 1540, 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. The bill would conform these provisions to the changes made by the Governor’s Reorganization Plan No. 2. of 2012.

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- 2 repealed.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 12012.56 of the Government Code is~~
19 ~~repealed.~~

20 ~~12012.56. (a) The tribal-state gaming compact entered into in~~
21 ~~accordance with the federal Indian Gaming Regulatory Act of~~
22 ~~1988 (18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701~~
23 ~~et seq.) between the State of California and the Federated Indians~~
24 ~~of Graton Rancheria, executed on March 27, 2012, is hereby~~
25 ~~ratified.~~

26 ~~(b) (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 to the tribal-state gaming~~
31 ~~compact ratified by this section.~~

32 ~~(B) The execution of the tribal-state gaming compact ratified~~
33 ~~by 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 referenced in, the tribal-state~~
37 ~~gaming compact ratified by this section.~~

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

1 to the express authority of, or as expressly referenced in, the
 2 tribal-state gaming compact ratified by this section.
 3 (E) The on-reservation impacts of compliance with the terms
 4 of the tribal-state gaming compact ratified by this section.
 5 (F) The sale of compact assets, as defined in subdivision (a) of
 6 Section 63048.6, or the creation of the special purpose trust
 7 established pursuant to Section 63048.65.
 8 (2) Except as expressly provided herein, nothing in this
 9 subdivision shall be construed to exempt a city, county, or city
 10 and county, or the Department of Transportation, from the
 11 requirements of the California Environmental Quality Act.
 12 SEC. 22. Section 12012.57 of the Government Code is
 13 repealed.
 14 12012.57. (a) The amendment to the tribal-state gaming
 15 compact entered into in accordance with the federal Indian Gaming
 16 Regulatory Act of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and
 17 25 U.S.C. Sec. 2701 et seq.) between the State of California and
 18 the Coyote Valley Band of Pomo Indians, executed on July 25,
 19 2012, 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 Department of Transportation negotiated pursuant
 34 to the express authority of, or as expressly referenced in, the
 35 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 Department of Transportation, from the~~
4 ~~requirements of the California Environmental Quality Act.~~

5 SEC. 23. Section 12012.75 of the Government Code is
6 repealed.

7 ~~12012.75. There is hereby created in the State Treasury a~~
8 ~~special fund called the “Indian Gaming Revenue Sharing Trust~~
9 ~~Fund” for the receipt and deposit of moneys derived from gaming~~
10 ~~device license fees that are paid into the fund pursuant to the terms~~
11 ~~of tribal-state gaming compacts for the purpose of making~~
12 ~~distributions to noncompact tribes. Moneys in the Indian Gaming~~
13 ~~Revenue Sharing Trust Fund shall be available to the California~~
14 ~~Gambling Control Commission, upon appropriation by the~~
15 ~~Legislature, for the purpose of making distributions to noncompact~~
16 ~~tribes, in accordance with distribution plans specified in tribal-state~~
17 ~~gaming compacts.~~

18 SEC. 24. Section 12012.85 of the Government Code is
19 repealed.

20 ~~12012.85. There is hereby created in the State Treasury a fund~~
21 ~~called the “Indian Gaming Special Distribution Fund” for the~~
22 ~~receipt and deposit of moneys received by the state from Indian~~
23 ~~tribes pursuant to the terms of tribal-state gaming compacts. These~~
24 ~~moneys shall be available for appropriation by the Legislature for~~
25 ~~the following purposes:~~

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

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

31 ~~(c) Compensation for regulatory costs incurred by the State~~
32 ~~Gaming Agency and the Department of Justice in connection with~~
33 ~~the implementation and administration of tribal-state gaming~~
34 ~~compacts.~~

35 ~~(d) Payment of shortfalls that may occur in the Indian Gaming~~
36 ~~Revenue Sharing Trust Fund. This shall be the priority use of~~
37 ~~moneys in the Indian Gaming Special Distribution Fund.~~

38 ~~(e) Disbursements for the purpose of implementing the terms~~
39 ~~of tribal labor relations ordinances promulgated in accordance with~~
40 ~~the terms of tribal-state gaming compacts ratified pursuant to~~

1 Chapter 874 of the Statutes of 1999. No more than 10 percent of
2 the funds appropriated in the Budget Act of 2000 for
3 implementation of tribal labor relations ordinances promulgated
4 in accordance with those compacts shall be expended in the
5 selection of the Tribal Labor Panel. The Department of Human
6 Resources shall consult with and seek input from the parties prior
7 to any expenditure for purposes of selecting the Tribal Labor Panel.
8 Other than the cost of selecting the Tribal Labor Panel, there shall
9 be no further disbursements until the Tribal Labor Panel, which
10 is selected by mutual agreement of the parties, is in place.

11 (f) Any other purpose specified by law.

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

14 (1) An appropriation to the Indian Gaming Revenue Sharing
15 Trust Fund in an aggregate amount sufficient to make payments
16 of any shortfalls that may occur in the Indian Gaming Revenue
17 Sharing Trust Fund.

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

21 (3) The amount appropriated in the annual Budget Act for
22 allocation between the Department of Justice and the California
23 Gambling Control Commission for regulatory functions that
24 directly relates to Indian gaming.

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

27 SEC. 25. Section 12012.90 of the Government Code is
28 repealed.

29 12012.90. (a) (1) For each fiscal year commencing with the
30 2002-03 fiscal year to the 2004-05 fiscal year, inclusive, the
31 California Gambling Control Commission shall determine the
32 aggregate amount of shortfalls in payments that occurred in the
33 Indian Gaming Revenue Sharing Trust Fund pursuant to Section
34 4.3.2.1 of the tribal-state gaming compacts ratified and in effect
35 as provided in subdivision (f) of Section 19 of Article IV of the
36 California Constitution as determined below:

37 (A) For each eligible recipient Indian tribe that received money
38 for all four quarters of the fiscal year, the difference between one
39 million one hundred thousand dollars (\$1,100,000) and the actual

1 amount paid to each eligible recipient Indian tribe during the fiscal
2 year from the Indian Gaming Revenue Sharing Trust Fund.

3 (B) For each eligible recipient Indian tribe that received moneys
4 for less than four quarters of the fiscal year, the difference between
5 two hundred seventy-five thousand dollars (\$275,000) for each
6 quarter in the fiscal year that a recipient Indian tribe was eligible
7 to receive moneys and the actual amount paid to each eligible
8 recipient Indian tribe during the fiscal year from the Indian Gaming
9 Revenue Sharing Trust Fund.

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

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

20 (c) An eligible recipient Indian tribe may not receive an amount
21 from the backfill appropriated following the estimate made
22 pursuant to subdivision (b) that would give the eligible recipient
23 Indian tribe an aggregate amount in excess of two hundred
24 seventy-five thousand dollars (\$275,000) per eligible quarter. Any
25 funds transferred from the Indian Gaming Special Distribution
26 Fund to the Indian Gaming Revenue Sharing Trust Fund that result
27 in a surplus shall revert back to the Indian Gaming Special
28 Distribution Fund following the authorization of the final payment
29 of the fiscal year.

30 (d) Upon a transfer of moneys from the Indian Gaming Special
31 Distribution Fund to the Indian Gaming Revenue Sharing Trust
32 Fund and appropriation from the trust fund, the California
33 Gambling Control Commission shall distribute the moneys without
34 delay to eligible recipient Indian tribes for each quarter that a tribe
35 was eligible to receive a distribution during the fiscal year
36 immediately preceding.

37 (e) For each fiscal year commencing with the 2005-06 fiscal
38 year, all of the following shall apply and subdivisions (b) to (d),
39 inclusive, shall not apply:

1 (1) ~~On or before the day of the May budget revision for each~~
2 ~~fiscal year, the California Gambling Control Commission shall~~
3 ~~determine the anticipated total amount of shortfalls in payment~~
4 ~~likely to occur in the Indian Gaming Revenue Sharing Trust Fund~~
5 ~~for the upcoming fiscal year, and shall provide to the committee~~
6 ~~in the Senate and Assembly that considers the State Budget an~~
7 ~~estimate of the amount needed to transfer from the Indian Gaming~~
8 ~~Special Distribution Fund to backfill the Indian Gaming Revenue~~
9 ~~Sharing Trust Fund for the next fiscal year. The anticipated total~~
10 ~~amount of shortfalls to be transferred from the Indian Gaming~~
11 ~~Special Distribution Fund to the Indian Gaming Revenue Sharing~~
12 ~~Trust Fund shall be determined by the California Gambling Control~~
13 ~~Commission as follows:~~

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

20 (B) ~~This amount shall be based upon actual payments received~~
21 ~~into the Indian Gaming Revenue Sharing Trust Fund the previous~~
22 ~~fiscal year, with adjustments made due to amendments to existing~~
23 ~~tribal-state compacts or newly executed tribal-state compacts with~~
24 ~~respect to payments to be made to the Indian Gaming Revenue~~
25 ~~Sharing Trust Fund.~~

26 (2) ~~The Legislature shall transfer from the Indian Gaming~~
27 ~~Special Distribution Fund to the Indian Gaming Revenue Sharing~~
28 ~~Trust Fund an amount sufficient for each eligible recipient tribe~~
29 ~~to receive a total not to exceed two hundred seventy-five thousand~~
30 ~~dollars (\$275,000) for each quarter in the upcoming fiscal year an~~
31 ~~eligible recipient tribe is eligible to receive moneys, for a total not~~
32 ~~to exceed one million one hundred thousand dollars (\$1,100,000)~~
33 ~~for the entire fiscal year. The California Gambling Control~~
34 ~~Commission shall make quarterly payments from the Indian~~
35 ~~Gaming Revenue Sharing Trust Fund to each eligible recipient~~
36 ~~Indian tribe within 45 days of the end of each fiscal quarter.~~

37 (3) ~~If the transfer of funds from the Indian Gaming Special~~
38 ~~Distribution Fund to the Indian Gaming Revenue Sharing Trust~~
39 ~~Fund results in a surplus, the funds shall remain in the Indian~~
40 ~~Gaming Revenue Sharing Trust Fund for disbursement in future~~

1 years, and if necessary, adjustments shall be made to future
2 distributions from the Indian Gaming Special Distribution Fund
3 to the Revenue Sharing Trust Fund.

4 (4) In the event the amount appropriated for the fiscal year is
5 insufficient to ensure each eligible recipient tribe receives the total
6 of two hundred seventy-five thousand dollars (\$275,000) for each
7 fiscal quarter, the Department of Finance, after consultation with
8 the California Gambling Control Commission, shall submit to the
9 Legislature a request for a budget augmentation for the current
10 fiscal year with an explanation as to the reason why the amount
11 appropriated for the fiscal year was insufficient.

12 (5) At the end of each fiscal quarter, the California Gambling
13 Control Commission's Indian Gaming Revenue Sharing Trust
14 Fund report shall include information that identifies each of the
15 eligible recipient tribes eligible to receive a distribution for that
16 fiscal quarter, the amount paid into the Indian Gaming Revenue
17 Sharing Trust Fund by each of the tribes pursuant to the applicable
18 sections of the tribal-state compact, and the amount necessary to
19 backfill from the Indian Gaming Special Distribution Fund the
20 shortfall in the Indian Gaming Revenue Sharing Trust Fund in
21 order for each eligible recipient tribe to receive the total of two
22 hundred seventy-five thousand dollars (\$275,000) for the fiscal
23 quarter.

24 SEC. 26. Chapter 7.5 (commencing with Section 12710) of
25 Part 2 of Division 3 of Title 2 of the Government Code is repealed.

26 SEC. 27. Title 16.5 (commencing with Section 98020) is added
27 to the Government Code, to read:

28
29 TITLE 16.5. TRIBAL GAMING

30
31 CHAPTER 1. COMPACT RATIFICATION

32
33 98020. (a) The following tribal-state compacts entered in
34 accordance with the Indian Gaming Regulatory Act of 1988 (18
35 U.S.C. Sec. 1166 et seq. and 25 U.S.C. Sec. 2701 et seq.) are
36 hereby ratified:

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

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

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

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

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

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

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

14 (8) The compact between the State of California and the Rumsey
15 Indian Rancheria of Wintun Indians of California, executed on
16 July 13, 1998.

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

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

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

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

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

1 (c) The Legislature acknowledges the right of federally
2 recognized tribes to exercise their sovereignty to negotiate and
3 enter into compacts with the state that are materially different from
4 the compacts ratified pursuant to subdivision (a). These compacts
5 shall be ratified upon approval of each house of the Legislature, a
6 majority of the membership thereof concurring.

7 (d) The Governor is the designated state officer responsible for
8 negotiating and executing, on behalf of the state, tribal-state gaming
9 compacts with federally recognized Indian tribes in the State of
10 California pursuant to the federal Indian Gaming Regulatory Act
11 of 1988 (18 U.S.C. Sec. 1166 et seq. and 25 U.S.C. Sec. 2701 et
12 seq.) for the purpose of authorizing class III gaming, as defined
13 in that act, on Indian lands. This section does not deny the existence
14 of the Governor's authority to have negotiated and executed
15 tribal-state compacts prior to March 8, 2000.

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

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

26 (g) This section does not authorize the unilateral imposition of
27 a statewide limit on the number of lottery devices or of any
28 allocation system for lottery devices on any Indian tribe that has
29 not entered into a compact that provides for such a limit or
30 allocation system. Each tribe may negotiate separately with the
31 state over these matters on a government-to-government basis.

32 98021. (a) The following tribal-state gaming compacts entered
33 into in accordance with the Indian Gaming Regulatory Act of 1988
34 (18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et
35 seq.) are hereby ratified:

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

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

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

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

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

1 (52) The compact between the State of California and the
2 Tuolumne Band of Me-wuk Indians, executed on September 10,
3 1999.

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

7 (54) The compact between the State of California and the Tyme
8 Maidu Tribe, Berry Creek Rancheria, executed on September 10,
9 1999.

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

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

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

16 (b) Any other tribal-state gaming compact entered into between
17 the State of California and a federally recognized Indian tribe that
18 is executed after September 10, 1999, is hereby ratified if both of
19 the following are true:

20 (1) The compact is identical in all material respects to any of
21 the compacts expressly ratified pursuant to subdivision (a). A
22 compact shall be deemed to be materially identical to a compact
23 ratified pursuant to subdivision (a) if the Governor certifies it is
24 materially identical at the time he or she submits it to the
25 Legislature.

26 (2) The compact is not rejected by each house of the Legislature,
27 two-thirds of the membership thereof concurring, within 30 days
28 of the date of the submission of the compact to the Legislature by
29 the Governor. However, if the 30-day period ends during a joint
30 recess of the Legislature, the period shall be extended until the
31 fifteenth day following the day on which the Legislature
32 reconvenes.

33 (c) The Legislature acknowledges the right of federally
34 recognized Indian tribes to exercise their sovereignty to negotiate
35 and enter into tribal-state gaming compacts that are materially
36 different from the compacts ratified pursuant to subdivision (a).
37 These compacts shall be ratified by a statute approved by each
38 house of the Legislature, a majority of the members thereof
39 concurring, and signed by the Governor, unless the statute contains
40 implementing or other provisions requiring a supermajority vote,

1 in which case the statute shall be approved in the manner required
2 by the Constitution.

3 (d) The Governor is the designated state officer responsible for
4 negotiating and executing, on behalf of the state, tribal-state gaming
5 compacts with federally recognized Indian tribes located within
6 the State of California pursuant to the federal Indian Gaming
7 Regulatory Act of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and
8 25 U.S.C. Sec. 2701 et seq.) for the purpose of authorizing class
9 III gaming, as defined in that act, on Indian lands within this state.
10 This section does not deny the existence of the Governor's
11 authority to have negotiated and executed tribal-state gaming
12 compacts prior to January 1, 2000.

13 (e) Following completion of negotiations conducted pursuant
14 to subdivision (b) or (c), the Governor shall submit a copy of any
15 executed tribal-state compact to both houses of the Legislature for
16 ratification, and shall submit a copy of the executed compact to
17 the Secretary of State for purposes of subdivision (f).

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

26 (g) In deference to tribal sovereignty, neither the execution of
27 a tribal-state gaming compact nor the on-reservation impacts of
28 compliance with the terms of a tribal-state gaming compact
29 constitutes a project for purposes of the California Environmental
30 Quality Act (Division 13 (commencing with Section 21000) of
31 the Public Resources Code).

32 98022. The tribal-state gaming compact entered into in
33 accordance with the Indian Gaming Regulatory Act of 1988 (18
34 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)
35 between the State of California and the Torres-Martinez Desert
36 Cahuilla Indians, executed on August 12, 2003, is hereby ratified.

37 98023. (a) The tribal-state gaming compact entered into in
38 accordance with the Indian Gaming Regulatory Act of 1988 (18
39 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)
40 between the State of California and the La Posta Band of Diegueño

1 Mission Indians of the La Posta Indian Reservation, California,
2 executed on September 9, 2003, is hereby ratified.

3 (b) The tribal-state gaming compact entered into in accordance
4 with the Indian Gaming Regulatory Act of 1988 (18 U.S.C. Secs.
5 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.) between the
6 State of California and the Santa Ysabel Band of Diegueño Mission
7 Indians of the Santa Ysabel Reservation, California, executed on
8 September 8, 2003, is hereby ratified.

9 98024. (a) The following amendments to tribal-state gaming
10 compacts entered into in accordance with the Indian Gaming
11 Regulatory Act of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and
12 25 U.S.C. Sec. 2701 et seq.) are hereby ratified:

13 (1) The amendment of the compact between the State of
14 California and the Pala Band of Mission Indians, executed on June
15 21, 2004.

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

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

22 (4) The amendment of the compact between the State of
23 California and the United Auburn Indian Community, executed
24 on June 21, 2004.

25 (5) The amendment of the compact between the State of
26 California and the Viejas Band of Kumeyaay Indians, executed
27 on June 21, 2004.

28 (b) (1) In deference to tribal sovereignty, none of the following
29 is a project for purposes of the California Environmental Quality
30 Act (Division 13 (commencing with Section 21000) of the Public
31 Resources Code):

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

34 (B) 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 referenced in, an amended
37 tribal-state gaming compact ratified by this section.

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

1 (D) 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 in this section, this subdivision
5 does not exempt a city, county, or a city and county from the
6 requirements of the California Environmental Quality Act.

7 98025. (a) The following tribal-state gaming compacts and
8 amendments of tribal-state gaming compacts 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 are hereby ratified:

12 (1) The amendment of the compact between the State of
13 California and the Buena Vista Rancheria of Me-Wuk Indians,
14 executed on August 23, 2004.

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

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

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

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

25 (b) The terms of each compact apply only to the State of
26 California and the tribe that has signed it, and the terms of these
27 compacts do not bind any tribe that is not a signatory to any of the
28 compacts. 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).

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

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

38 (B) The execution of a tribal-state gaming compact ratified by
39 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, a tribal-state
4 gaming compact or an amended tribal-state gaming compact
5 ratified by this section.

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

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

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

17 (2) Except as expressly provided in this section, this subdivision
18 does not exempt a city, county, a city and county, or the California
19 Department of Transportation from the requirements of the
20 California Environmental Quality Act.

21 (d) Revenue contributions made to the state by tribes pursuant
22 to the tribal-state gaming compacts and amendments of tribal-state
23 gaming compacts ratified by this section shall be deposited in the
24 General Fund.

25 98026. (a) The amendment to the tribal-state gaming compact
26 entered into in accordance with the Indian Gaming Regulatory Act
27 of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec.
28 2701 et seq.) between the State of California and the Agua Caliente
29 Band of Cahuilla Indians, executed on August 8, 2006, is hereby
30 ratified.

31 (b) (1) In deference to tribal sovereignty, none of the following
32 is a project for purposes of the California Environmental Quality
33 Act (Division 13 (commencing with Section 21000) of the Public
34 Resources Code):

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

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

39 (C) The execution of an intergovernmental agreement between
40 a tribe and a county or city government negotiated pursuant to the

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

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

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

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

12 (2) Except as expressly provided in this section, this subdivision
13 does not exempt a city, county, or city and county, or the California
14 Department of Transportation, from the requirements of the
15 California Environmental Quality Act.

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

19 98027. The memorandum of agreement entered into between
20 the State of California and the Agua Caliente Band of Cahuilla
21 Indians, executed on June 27, 2007, is hereby approved.

22 98028. (a) The amendment to the tribal-state gaming compact
23 entered into in accordance with the Indian Gaming Regulatory Act
24 of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec.
25 2701 et seq.) between the State of California and the San Manuel
26 Band of Mission Indians, executed on August 28, 2006, is hereby
27 ratified.

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

35 (c) (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 in this section, this subdivision
17 does not exempt a city, county, or city and county, or the California
18 Department of Transportation, from the requirements of the
19 California Environmental Quality Act.

20 (d) 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, or as otherwise provided
23 in the amended compact.

24 98029. The letter of agreement entered into between the State
25 of California and the San Manuel Band of Mission Indians,
26 executed on September 5, 2007, is hereby approved.

27 98030. (a) The amendment to the tribal-state gaming compact
28 entered into in accordance with the Indian Gaming Regulatory Act
29 of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec.
30 2701 et seq.) between the State of California and the Morongo
31 Band of Mission Indians, executed on August 29, 2006, is hereby
32 ratified.

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

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

39 (B) The execution of the amended tribal-state gaming compact
40 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 in this section, this subdivision
15 does not exempt a city, county, or city and county, or the California
16 Department of Transportation, from the requirements of the
17 California Environmental Quality Act.

18 (c) 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.

21 98031. The memorandum of agreement entered into between
22 the State of California and the Morongo Band of Mission Indians,
23 executed on June 27, 2007, is hereby approved.

24 98032. (a) The amendment to the tribal-state gaming compact
25 entered into in accordance with the Indian Gaming Regulatory Act
26 of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec.
27 2701 et seq.) between the State of California and the Pechanga
28 Band of Luiseño Mission Indians, executed on August 28, 2006,
29 is hereby ratified.

30 (b) (1) In deference to tribal sovereignty, none of the following
31 is a project for purposes of the California Environmental Quality
32 Act (Division 13 (commencing with Section 21000) of the Public
33 Resources Code):

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

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

38 (C) The execution of an intergovernmental agreement between
39 a tribe and a county or city government negotiated pursuant to the

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

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

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

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

12 (2) Except as expressly provided in this section, this subdivision
13 does not exempt a city, county, or city and county, or the California
14 Department of Transportation, from the requirements of the
15 California Environmental Quality Act.

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

19 98033. The memorandum of agreement entered into between
20 the State of California and the Pechanga Band of Luiseño Indians,
21 executed on June 27, 2007, is hereby approved.

22 98034. (a) The amendment to the tribal-state gaming compact
23 entered into in accordance with the Indian Gaming Regulatory Act
24 of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec.
25 2701 et seq.) between the State of California and the Sycuan Band
26 of the Kumeyaay Nation, executed on August 30, 2006, is hereby
27 ratified.

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

35 (c) (1) In deference to tribal sovereignty, none of the following
36 is a project for purposes of the California Environmental Quality
37 Act (Division 13 (commencing with Section 21000) of the Public
38 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 in this section, this subdivision
- 17 does not exempt a city, county, or city and county, or the California
- 18 Department of Transportation, from the requirements of the
- 19 California Environmental Quality Act.
- 20 (d) Revenue contributions made to the state by the tribe pursuant
- 21 to the amended tribal-state gaming compact ratified by this section
- 22 shall be deposited in the General Fund, or as otherwise provided
- 23 in the amended compact.
- 24 98035. The memorandum of agreement entered into between
- 25 the State of California and the Sycuan Band of the Kumeyaay
- 26 Nation, executed on June 27, 2007, is hereby approved.
- 27 98036. (a) The tribal-state gaming compact entered into in
- 28 accordance with the Indian Gaming Regulatory Act of 1988 (18
- 29 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)
- 30 between the State of California and the Yurok Tribe of the Yurok
- 31 Reservation, executed on August 29, 2006, is hereby ratified.
- 32 (b) (1) In deference to tribal sovereignty, none of the following
- 33 is a project for purposes of the California Environmental Quality
- 34 Act (Division 13 (commencing with Section 21000) of the Public
- 35 Resources Code):
- 36 (A) The execution of an amendment of the tribal-state gaming
- 37 compact ratified by this section.
- 38 (B) The execution of the tribal-state gaming compact ratified
- 39 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 California Department of Transportation negotiated
7 pursuant to the express authority of, or as expressly referenced in,
8 the 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 in this section, this subdivision
15 does not exempt a city, county, or city and county, or the California
16 Department of Transportation, from the requirements of the
17 California Environmental Quality Act.

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

21 98037. (a) The amendment to the tribal-state gaming compact
22 entered into in accordance with the Indian Gaming Regulatory Act
23 of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec.
24 2701 et seq.) between the State of California and the Shingle
25 Springs Band of Miwok Indians, executed on June 30, 2008, is
26 hereby ratified.

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

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

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

35 (C) The execution of an intergovernmental agreement between
36 a tribe and a county or city government negotiated pursuant to the
37 express authority of, or as expressly referenced in, the amended
38 tribal-state gaming compact 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 the amended tribal-state gaming compact ratified by this section.
 3 (E) The on-reservation impacts of compliance with the terms
 4 of the amended tribal-state gaming compact ratified by this section.
 5 (F) The sale of compact assets, as defined in subdivision (a) of
 6 Section 63048.6, or the creation of the special purpose trust
 7 established pursuant to Section 63048.65.
 8 (2) Except as expressly provided in this section, this subdivision
 9 does not exempt a city, county, or city and county, or the California
 10 Department of Transportation, from the requirements of the
 11 California Environmental Quality Act.
 12 (c) Revenue contributions made to the state by the tribe pursuant
 13 to the tribal-state gaming compact ratified by this section shall be
 14 deposited in the General Fund, except as otherwise provided by
 15 the amended compact or by a statute directing that a portion of the
 16 revenue contributions be deposited in a special fund.
 17 98038. (a) The tribal-state gaming compact entered into in
 18 accordance with the Indian Gaming Regulatory Act of 1988 (18
 19 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)
 20 between the State of California and the Habematolel Pomo of
 21 Upper Lake, executed on March 17, 2011, is hereby ratified.
 22 (b) (1) In deference to tribal sovereignty, none of the following
 23 is a project for purposes of the California Environmental Quality
 24 Act (Division 13 (commencing with Section 21000) of the Public
 25 Resources Code):
 26 (A) The execution of an amendment to 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 in this section, this subdivision
5 does not exempt a city, county, or city and county, or the California
6 Department of Transportation, from the requirements of the
7 California Environmental Quality Act.

8 98039. (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 Pinoleville Pomo Nation,
12 executed on August 8, 2011, is hereby ratified.

13 (b) (1) In deference to tribal sovereignty, none of the following
14 is a project for purposes of the California Environmental Quality
15 Act (Division 13 (commencing with Section 21000) of the Public
16 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 Department of Transportation negotiated pursuant
27 to the express authority of, or as expressly referenced in, the
28 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 in this section, this subdivision
35 does not exempt a city, county, or city and county, or the
36 Department of Transportation, from the requirements of the
37 California Environmental Quality Act.

38 98040. (a) The tribal-state gaming compact entered into in
39 accordance with the federal Indian Gaming Regulatory Act of
40 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701

1 et seq.) between the State of California and the Federated Indians
2 of Graton Rancheria, executed on March 27, 2012, is hereby
3 ratified.

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

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

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

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

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

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

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

25 (2) Except as expressly provided in this section, this subdivision
26 does not exempt a city, county, or city and county, or the
27 Department of Transportation, from the requirements of the
28 California Environmental Quality Act.

29 98041. (a) The amendment to the tribal-state gaming compact
30 entered into in accordance with the federal Indian Gaming
31 Regulatory Act of 1988 (18 U.S.C. Secs. 1166 to 1168, incl., and
32 25 U.S.C. Sec. 2701 et seq.) between the State of California and
33 the Coyote Valley Band of Pomo Indians, executed on July 25,
34 2012, is hereby ratified.

35 (b) (1) In deference to tribal sovereignty, none of the following
36 is a project for purposes of the California Environmental Quality
37 Act (Division 13 (commencing with Section 21000) of the Public
38 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 Department of Transportation negotiated pursuant
9 to the express authority of, or as expressly referenced in, the
10 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 in this section, this subdivision
17 does not exempt a city, county, or city and county, or the
18 Department of Transportation, from the requirements of the
19 California Environmental Quality Act.

20

21 CHAPTER 2. TRIBAL GAMING REVENUE

22

23 98070. There is hereby created in the State Treasury a special
24 fund entitled the “Indian Gaming Revenue Sharing Trust Fund”
25 for the receipt and deposit of moneys derived from gaming device
26 license fees that are paid into the fund pursuant to the terms of
27 tribal-state gaming compacts for the purpose of making
28 distributions to noncompact tribes. Moneys in the Indian Gaming
29 Revenue Sharing Trust Fund are available to the California
30 Gambling Control Commission, upon appropriation by the
31 Legislature, for the purpose of making distributions to noncompact
32 tribes, in accordance with distribution plans specified in tribal-state
33 gaming compacts.

34 98071. There is hereby created in the State Treasury a fund
35 entitled the “Indian Gaming Special Distribution Fund” for the
36 receipt and deposit of moneys received by the state from Indian
37 tribes pursuant to the terms of tribal-state gaming compacts. These
38 moneys are available for appropriation by the Legislature for the
39 following purposes:

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

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

3 98072. (a) For purposes of this section, “eligible recipient
4 Indian tribe” means a noncompact tribe, as defined in Section
5 4.3.2(a)(i) of the tribal-state gaming compacts ratified and in effect
6 as provided in subdivision (f) of Section 19 of Article IV of the
7 California Constitution.

8 (b) The California Gambling Control Commission shall provide
9 to the committees in the Senate and Assembly that consider the
10 State Budget an estimate of the amount needed to backfill the
11 Indian Gaming Revenue Sharing Trust Fund on or before the date
12 of the May budget revision for each fiscal year.

13 (c) An eligible recipient Indian tribe may not receive an amount
14 from the backfill appropriated following the estimate made
15 pursuant to subdivision (b) that would give the eligible recipient
16 Indian tribe an aggregate amount in excess of two hundred
17 seventy-five thousand dollars (\$275,000) per eligible quarter. Any
18 funds transferred from the Indian Gaming Special Distribution
19 Fund to the Indian Gaming Revenue Sharing Trust Fund that result
20 in a surplus shall revert back to the Indian Gaming Special
21 Distribution Fund following the authorization of the final payment
22 of the fiscal year.

23 (d) Upon a transfer of moneys from the Indian Gaming Special
24 Distribution Fund to the Indian Gaming Revenue Sharing Trust
25 Fund and appropriation from the trust fund, the California
26 Gambling Control Commission shall distribute the moneys without
27 delay to eligible recipient Indian tribes for each quarter that a tribe
28 was eligible to receive a distribution during the fiscal year
29 immediately preceding.

30 (e) For each fiscal year commencing with the 2005–06 fiscal
31 year, all of the following shall apply:

32 (1) On or before the day of the May budget revision for each
33 fiscal year, the California Gambling Control Commission shall
34 determine the anticipated total amount of shortfalls in payment
35 likely to occur in the Indian Gaming Revenue Sharing Trust Fund
36 for the upcoming fiscal year, and shall provide to the committees
37 in the Senate and Assembly that consider the State Budget an
38 estimate of the amount needed to transfer from the Indian Gaming
39 Special Distribution Fund to backfill the Indian Gaming Revenue
40 Sharing Trust Fund for the next fiscal year. The anticipated total

1 amount of shortfalls to be transferred from the Indian Gaming
2 Special Distribution Fund to the Indian Gaming Revenue Sharing
3 Trust Fund shall be determined by the California Gambling Control
4 Commission as follows:

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

11 (B) This amount shall be based upon actual payments received
12 into the Indian Gaming Revenue Sharing Trust Fund the previous
13 fiscal year, with adjustments made due to amendments to existing
14 tribal-state compacts or newly executed tribal-state compacts with
15 respect to payments to be made to the Indian Gaming Revenue
16 Sharing Trust Fund.

17 (2) The Legislature shall transfer from the Indian Gaming
18 Special Distribution Fund to the Indian Gaming Revenue Sharing
19 Trust Fund an amount sufficient for each eligible recipient tribe
20 to receive a total not to exceed two hundred seventy-five thousand
21 dollars (\$275,000) for each quarter in the upcoming fiscal year an
22 eligible recipient tribe is eligible to receive moneys, for a total not
23 to exceed one million one hundred thousand dollars (\$1,100,000)
24 for the entire fiscal year. The California Gambling Control
25 Commission shall make quarterly payments from the Indian
26 Gaming Revenue Sharing Trust Fund to each eligible recipient
27 Indian tribe within 45 days of the end of each fiscal quarter.

28 (3) If the transfer of funds from the Indian Gaming Special
29 Distribution Fund to the Indian Gaming Revenue Sharing Trust
30 Fund results in a surplus, the funds shall remain in the Indian
31 Gaming Revenue Sharing Trust Fund for disbursement in future
32 years, and if necessary, adjustments shall be made to future
33 distributions from the Indian Gaming Special Distribution Fund
34 to the Indian Gaming Revenue Sharing Trust Fund.

35 (4) In the event the amount appropriated for the fiscal year is
36 insufficient to ensure each eligible recipient tribe receives the total
37 of two hundred seventy-five thousand dollars (\$275,000) for each
38 fiscal quarter, the Department of Finance, after consultation with
39 the California Gambling Control Commission, shall submit to the
40 Legislature a request for a budget augmentation for the current

1 fiscal year with an explanation as to the reason why the amount
2 appropriated for the fiscal year was insufficient.

3 (5) At the end of each fiscal quarter, the California Gambling
4 Control Commission's Indian Gaming Revenue Sharing Trust
5 Fund report shall include information that identifies each of the
6 eligible recipient tribes eligible to receive a distribution for that
7 fiscal quarter, the amount paid into the Indian Gaming Revenue
8 Sharing Trust Fund by each of the tribes pursuant to the applicable
9 sections of the tribal-state compact, and the amount necessary to
10 backfill from the Indian Gaming Special Distribution Fund the
11 shortfall in the Indian Gaming Revenue Sharing Trust Fund in
12 order for each eligible recipient tribe to receive the total of two
13 hundred seventy-five thousand dollars (\$275,000) for the fiscal
14 quarter.

15
16 CHAPTER 3. GRANTS OF TRIBAL GAMING REVENUE TO LOCAL
17 GOVERNMENT AGENCIES
18

19 98075. This chapter establishes the method of calculating the
20 distribution of appropriations from the Indian Gaming Special
21 Distribution Fund for grants to local government agencies impacted
22 by tribal gaming.

23 98076. (a) It is the intent of the Legislature to establish a fair
24 and proportionate system to award grants from the Indian Gaming
25 Special Distribution Fund for the support of local government
26 agencies impacted by tribal gaming. It is also the intent of the
27 Legislature that priority for funding shall be given to local
28 government agencies impacted by the tribal casinos that contribute
29 to the Indian Gaming Special Distribution Fund.

30 (b) It is the intent of the Legislature that in the event that any
31 compact between any tribe and the state takes effect on or after
32 January 1, 2004, or that any compact between any tribe and the
33 state that took effect on or before May 16, 2000, is renegotiated
34 and reexecuted at any time after its initial effective date, money
35 provided to the state by a tribe pursuant to the terms of these
36 compacts shall be applied on a pro rata basis to the state costs for
37 the regulation of gaming and for problem gambling prevention
38 programs in the Office of Problem and Pathological Gambling
39 within the State Department of Alcohol and Drug Programs.

1 (c) It is the intent of the Legislature that if any compact between
 2 any tribe and the state takes effect on or after January 1, 2004, or
 3 if any compact between any tribe and the state that took effect on
 4 or before May 16, 2000, is renegotiated and reexecuted at any time
 5 after its initial effective date, any revenue sharing provisions of
 6 that compact that requires distributions to nongaming or
 7 noncompact tribes shall result in a decrease in the amount that the
 8 Legislature appropriates pursuant to this chapter.

9 98077. As used in this chapter:

10 (a) “County Tribal Casino Account” means an account
 11 consisting of all moneys paid by tribes of that county into the
 12 Indian Gaming Special Distribution Fund after deduction of the
 13 amounts appropriated pursuant to the priorities specified in Section
 14 98071.

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

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

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

29 98078. (a) The Department of Finance, in consultation with
 30 the California Gambling Control Commission, shall calculate and
 31 provide a recommendation regarding the total revenue in the Indian
 32 Gaming Special Distribution Fund that will be available for the
 33 current budget year for local government agencies impacted by
 34 tribal gaming. The department, in making its recommendation,
 35 shall consider anticipated revenue from any additional tribal
 36 gaming operations.

37 (b) The following information shall be included with the
 38 recommendation described in subdivision (a):

39 (1) The total amount of payments projected to be received into
 40 the Indian Gaming Special Distribution Fund during the current

1 budget year in accordance with tribal-gaming compacts ratified
2 pursuant to Section 12012.25.

3 (2) The total amount of payments received into the Indian
4 Gaming Special Distribution Fund during the previous budget year
5 in accordance with tribal-gaming compacts ratified pursuant to
6 Section 12012.25.

7 (3) The total number of tribes that make payments into the
8 Indian Gaming Special Distribution Fund in accordance with
9 tribal-gaming compacts ratified pursuant to Section 12012.25.

10 (4) The name of each tribe that makes payments into the Indian
11 Gaming Special Distribution Fund in accordance with
12 tribal-gaming compacts ratified pursuant to Section 12012.25.

13 (5) The amount of appropriations made each budget year in the
14 previous 10 years from the Indian Gaming Special Distribution
15 Fund for local government agencies impacted by tribal gaming
16 pursuant to Section 12012.85.

17 (c) The department shall include the information required by
18 this section in the May budget revision.

19 98079. (a) A County Tribal Casino Account is hereby created
20 in the treasury for each county that contains a tribal casino.

21 (b) The amount to be deposited into each eligible county's
22 County Tribal Casino Account shall be calculated in the following
23 way:

24 (1) (A) For counties that do not have gaming devices subject
25 to an obligation to make contributions to the Indian Gaming Special
26 Distribution Fund, the total amount to be appropriated by the
27 Legislature for grants to local government agencies impacted by
28 tribal gaming shall be multiplied by 5 percent.

29 (B) The amount determined pursuant to subparagraph (A) shall
30 be divided by the aggregate number of gaming devices located in
31 those counties that do not have gaming devices subject to an
32 obligation to make contributions to the Indian Gaming Special
33 Distribution Fund.

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

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

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

9 (B) The amount determined pursuant to subparagraph (A) shall
 10 be divided by the aggregate number of gaming devices located in
 11 those counties that have gaming devices subject to an obligation
 12 to make contributions to the Indian Gaming Special Distribution
 13 Fund.

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

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

22 98080. (a) The Controller, acting in consultation with the
 23 California Gambling Control Commission, shall divide the County
 24 Tribal Casino Account for each county that has gaming devices
 25 that are subject to an obligation to make contributions to the Indian
 26 Gaming Special Distribution Fund into a separate account for each
 27 tribe that operates a casino within the county. These accounts shall
 28 be known as Individual Tribal Casino Accounts, and funds may
 29 be released from these accounts to make grants selected by an
 30 Indian Gaming Local Community Benefit Committee pursuant to
 31 the method established by this section to local jurisdictions
 32 impacted by tribal casinos. Each Individual Tribal Casino Account
 33 shall be funded in proportion to the amount that each individual
 34 tribe paid in the prior fiscal year to the Indian Gaming Special
 35 Distribution Fund.

36 (b) (1) There is hereby created in each county in which Indian
 37 gaming is conducted an Indian Gaming Local Community Benefit
 38 Committee. The selection of all grants from each Individual Tribal
 39 Casino Account or County Tribal Casino Account shall be made
 40 by each county's Indian Gaming Local Community Benefit

1 Committee. In selecting grants, the Indian Gaming Local
2 Community Benefit Committee shall follow the priorities
3 established in subdivision (g) and the requirements specified in
4 subdivision (h). This committee has the following additional
5 responsibilities:

6 (A) Establishing all application policies and procedures for
7 grants from the Individual Tribal Casino Account or County Tribal
8 Casino Account. Each grant application shall clearly show how
9 the grant will mitigate the impact of the casino on the grant
10 applicant.

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

13 (C) Determining the appropriate amount for reimbursement
14 from the aggregate county tribal account of the demonstrated costs
15 incurred by the county for administering the grant programs. The
16 reimbursement for county administrative costs may not exceed 2
17 percent of the aggregate county tribal account in any given fiscal
18 year.

19 (2) Except as provided in Section 98081, the Indian Gaming
20 Local Community Benefit Committee shall be composed of seven
21 representatives, consisting of the following:

22 (A) Two representatives from the county, selected by the county
23 board of supervisors.

24 (B) Three elected representatives from cities located within four
25 miles of a tribal casino in the county, selected by the county board
26 of supervisors. In the event that there are no cities located within
27 four miles of a tribal casino in the county, other local
28 representatives may be selected upon mutual agreement by the
29 county board of supervisors and a majority of the tribes paying
30 into the Indian Gaming Special Distribution Fund in the county.
31 When there are no cities within four miles of a tribal casino in the
32 county, and when the Indian Gaming Local Community Benefit
33 Committee acts on behalf of a county where no tribes pay into the
34 Indian Gaming Special Distribution Fund, other local
35 representatives may be selected upon mutual agreement by the
36 county board of supervisors and a majority of the tribes operating
37 casinos in the county. However, if only one city is within four
38 miles of a tribal casino and that same casino is located entirely
39 within the unincorporated area of that particular county, only one

1 elected representative from that city shall be included on the Indian
2 Gaming Local Community Benefit Committee.

3 (C) Two representatives selected upon the recommendation of
4 a majority of the tribes paying into the Indian Gaming Special
5 Distribution Fund in each county. When an Indian Gaming Local
6 Community Benefit Committee acts on behalf of a county where
7 no tribes pay into the Indian Gaming Special Distribution Fund,
8 the two representatives may be selected upon the recommendation
9 of the tribes operating casinos in the county.

10 (c) Sixty percent of each Individual Tribal Casino Account shall
11 be available for nexus grants on a yearly basis to cities and counties
12 impacted by tribes that are paying into the Indian Gaming Special
13 Distribution Fund, according to the four-part nexus test described
14 in paragraph (1). Grant awards shall be selected by each county's
15 Indian Gaming Local Community Benefit Committee and shall
16 be administered by the county. Grants may be awarded on a
17 multiyear basis, and these multiyear grants shall be accounted for
18 in the grant process for each year.

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

24 (A) Whether the local government jurisdiction borders the Indian
25 lands on all sides.

26 (B) Whether the local government jurisdiction partially borders
27 Indian lands.

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

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

33 (2) Fifty percent of the amount specified in this subdivision
34 shall be awarded in equal proportions to local government
35 jurisdictions that meet all four of the nexus test criteria in paragraph
36 (1). If no eligible local government jurisdiction satisfies this
37 requirement, the amount specified in this paragraph shall be made
38 available for nexus grants in equal proportions to local government
39 jurisdictions meeting the requirements of paragraph (3) or (4).

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

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

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

26 (e) (1) Twenty percent of each Individual Tribal Casino Account
27 shall be available for discretionary grants to local jurisdictions
28 impacted by tribes that are not paying into the Indian Gaming
29 Special Distribution Fund. These grants shall be made available
30 to local jurisdictions in the county irrespective of any nexus to
31 impacts from any particular tribal casino, as described in paragraph
32 (1) of subdivision (c), and irrespective of whether the impacts
33 presented are from a tribal casino that is not paying into the Indian
34 Gaming Special Distribution Fund. Grant awards shall be selected
35 by each county's Indian Gaming Local Community Benefit
36 Committee and shall be administered by the county. Grants may
37 be awarded on a multiyear basis, and these multiyear grants shall
38 be accounted for in the grant process for each year.

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

4 (B) Grants shall be subject to the sole sponsorship of the tribe
5 that pays into the Indian Gaming Special Distribution Fund and
6 the recommendations of the Indian Gaming Local Community
7 Benefit Committee for that county.

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

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

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

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

34 (h) In selecting grants pursuant to subdivision (b), an Indian
35 Gaming Local Community Benefit Committee shall select only
36 grant applications that mitigate impacts from casinos on local
37 jurisdictions. If a local jurisdiction uses a grant selected pursuant
38 to subdivision (b) for any unrelated purpose, the grant shall
39 terminate immediately and any moneys not yet spent shall revert
40 to the Indian Gaming Special Distribution Fund. If a local

1 jurisdiction approves an expenditure that mitigates an impact from
2 a casino on a local jurisdiction and that also provides other benefits
3 to the local jurisdiction, the grant selected pursuant to subdivision
4 (b) shall be used to finance only the proportionate share of the
5 expenditure that mitigates the impact from the casino.

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

22 (j) A local government jurisdiction that is a recipient of a grant
23 from an Individual Tribal Casino Account or a County Tribal
24 Casino Account shall provide notice to the public, either through
25 a slogan, signage, or other mechanism, stating that the local
26 government project has received funding from the Indian Gaming
27 Special Distribution Fund and further identifying the particular
28 Individual Tribal Casino Account from which the grant derives.

29 (k) (1) Each county's Indian Gaming Local Community Benefit
30 Committee shall submit to the Controller a list of approved projects
31 for funding from Individual Tribal Casino Accounts. Upon receipt
32 of this list, the Controller shall release the funds directly to the
33 local government entities for which a grant has been approved by
34 the committee.

35 (2) Funds not allocated from an Individual Tribal Casino
36 Account by the end of each fiscal year shall revert back to the
37 Indian Gaming Special Distribution Fund.

38 (l) Notwithstanding any other law, a local government
39 jurisdiction that receives a grant from an Individual Tribal Casino
40 Account shall deposit all funds received in an interest-bearing

1 account and use the interest from those funds only for the purpose
2 of mitigating an impact from a casino. If any portion of the funds
3 in the account is used for any other purpose, the remaining portion
4 shall revert to the Indian Gaming Special Distribution Fund. As a
5 condition of receiving further funds under this section, a local
6 government jurisdiction, upon request of the county, shall
7 demonstrate to the county that all expenditures made from the
8 account have been in compliance with the requirements of this
9 section.

10 98081. In San Diego County, the Indian Gaming Local
11 Community Benefit Committee shall be comprised of seven
12 representatives, consisting of the following:

13 (a) Two representatives from the county, selected by the county
14 board of supervisors.

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

18 (c) Three representatives selected upon the recommendation of
19 a majority of the tribes paying into the Indian Gaming Special
20 Distribution Fund in the county.

21 (d) The Sheriff of San Diego County.

22 98082. (a) Each county that administers grants from the Indian
23 Gaming Special Distribution Fund shall provide an annual report
24 to the Chairperson of the Joint Legislative Budget Committee, the
25 chairpersons of the Senate and Assembly committees on
26 governmental organization, and the California Gambling Control
27 Commission by October 1 of each year detailing the specific
28 projects funded by all grants in the county's jurisdiction in the
29 previous fiscal year, including amounts expended in that fiscal
30 year, but funded from appropriations in prior fiscal years. The
31 report shall provide detailed information on the following:

32 (1) The amount of grant funds received by the county.

33 (2) A description of each project that is funded.

34 (3) A description of how each project mitigates the impact of
35 tribal gaming.

36 (4) The total expenditures for each project.

37 (5) All administrative costs related to each project, excluding
38 the county's administrative fee.

39 (6) The funds remaining at the end of the fiscal year for each
40 project.

1 (7) An explanation regarding how any remaining funds will be
2 spent for each project, including the estimated time for expenditure.

3 (8) A description of whether each project is funded once or on
4 a continuing basis.

5 (b) A county that does not provide an annual report pursuant to
6 subdivision (a) shall not be eligible for funding from the Indian
7 Gaming Special Distribution Fund for the following year.

8 98083. The State Auditor shall conduct an audit every three
9 years regarding the allocation and use of moneys from the Indian
10 Gaming Special Distribution Fund by the recipient of the grant
11 moneys. The State Auditor shall report its findings to the
12 Legislature and to all other appropriate entities.

13 98084. This chapter shall remain in effect only until January
14 1, 2021, and as of that date is repealed, unless a later enacted statute
15 that is enacted before January 1, 2021, deletes or extends that date.