

ASSEMBLY BILL

No. 1767

Introduced by Assembly Member Bigelow

February 3, 2016

An act to amend Section 12012.68 of the Government Code, relating to tribal gaming.

LEGISLATIVE COUNSEL'S DIGEST

AB 1767, as introduced, Bigelow. Tribal gaming.

Existing federal law, the Indian Gaming Regulatory Act of 1988, provides for the negotiation and execution of tribal-state gaming compacts. The California Constitution authorizes the Governor to negotiate and conclude compacts, subject to ratification by the Legislature. Existing law expressly ratifies a number of tribal-state gaming compacts, including the tribal-state gaming compact entered into between the State of California and the United Auburn Indian Community, executed on August 14, 2015.

This bill would make a technical, nonsubstantive change to that provision.

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 12012.68 of the Government Code is
2 amended to read:
3 12012.68. (a) The tribal-state gaming compact entered into in
4 accordance with the federal Indian Gaming Regulatory Act of
5 1988 (18 U.S.C. Sec. 1166 to 1168, inclusive, and 25 U.S.C. Sec.

1 2701 et seq.) between the State of California and the United Auburn
2 Indian Community, executed on August 14, 2015, is hereby
3 ratified.

4 (b) (1) In deference to tribal sovereignty, ~~none~~ of the following
5 shall *not* be deemed a project for purposes of the California
6 Environmental Quality Act (Division 13 (commencing with Section
7 21000) of the Public 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 herein, this subdivision does
26 not exempt a city, county, or city and county, or the Department
27 of Transportation, from the requirements of the California
28 Environmental Quality Act.