

LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, _____.

General Subject: Tribal gaming: Gabrielino-Tongva Tribe.

The California Constitution authorizes the Governor to negotiate and conclude tribal-state gaming compacts, subject to ratification by the Legislature, for the operation of slot machines and for the conduct of lottery games and banking and percentage card games by federally recognized Indian tribes on Indian lands in California in accordance with federal law. The Constitution further permits slot machines, lottery games, and banking and percentage card games to be conducted and operated on tribal lands subject to those compacts.

This bill would specify the procedures for legislative ratification of tribal-state gaming compacts concluded by the Governor and ratified on or after January 1, 2008. The bill would provide that, if the Governor negotiates and concludes a tribal-state gaming compact with the Gabrielino-Tongva Tribe, the compact may be ratified by



the Legislature only if it provides for total payments to local, county, and state authorities of at least 20% of the net win from all slot machines.

Under existing federal law, the Bureau of Indian Affairs within the Department of the Interior is responsible for the administration and management of land held in trust by the United States for American Indians, Indian tribes, and Alaskan Natives. Under existing law, there are 561 federally recognized tribal governments in the United States. California law identifies various Indian tribes and reservation lands, but does not have a formal system of recognizing state Indian tribes, such as that contained in federal law.

This bill would establish a state recognized Indian reservation for the Gabrielino-Tongva Tribe, a nonfederally recognized Indian tribe, effective immediately upon the certification of specified facts by the city in which the reservation is located. It would require the tribe to purchase and contribute to the state the real property to be designated as the reservation. The bill would provide that title to that real property shall be held by the State of California in trust for the benefit of the Gabrielino-Tongva Tribe, and that the Gabrielino-Tongva State Indian Reservation qualifies as tribal lands for purposes of entering into a tribal-state gaming compact. The bill would also make other related changes.

The bill would make related findings, declarations, and interpretations.

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

