



| | | | | | | |
|------|------------------|----------------|--------------|-----------------|------------------|--------------|
| Home | Bill Information | California Law | Publications | Other Resources | My Subscriptions | My Favorites |
|------|------------------|----------------|--------------|-----------------|------------------|--------------|

AB-1658 Tribal gaming: compact amendment ratification. (2023-2024)

SHARE THIS:  

Date Published: 10/16/2023 02:00 PM

Assembly Bill No. 1658

CHAPTER 852

An act to add Section 12012.111 to the Government Code, relating to tribal gaming, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor October 13, 2023. Filed with Secretary of State October 13, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1658, Santiago. Tribal gaming: compact amendment ratification.

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 those compacts, subject to ratification by the Legislature. Existing law expressly ratifies a number of tribal-state gaming compacts, and amendments to tribal-state gaming compacts, between the State of California and specified Indian tribes.

The California Environmental Quality Act (CEQA) requires a lead agency to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, as defined, or to adopt a negative declaration if it finds that the project will not have that effect.

This bill would ratify the amendments to the tribal-state gaming compacts entered into between the State of California and the Alturas Indian Rancheria, California, the Augustine Band of Cahuilla Indians, California, the Bear River Band of the Rohnerville Rancheria, California, the Berry Creek Rancheria of Maidu Indians of California, the Big Sandy Rancheria of Western Mono Indians of California, the Bishop Paiute Tribe, the Cachil Dehe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria, California, the Cahto Tribe of the Laytonville Rancheria, the Cahuilla Band of Indians, the Campo Band of Diegueno Mission Indians of the Campo Indian Reservation, California, the Cher-Ae Heights Indian Community of the Trinidad Rancheria, California, the Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria, California, the Ewiiapaayp Band of Kumeyaay Indians, California, the Manchester Band of Pomo Indians of the Manchester Rancheria, California, the Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation, California, the Picayune Rancheria of Chukchansi Indians of California, the Pit River Tribe, California, the Redding Rancheria, California, the Resighini Rancheria, California, the Sherwood Valley Rancheria of Pomo Indians of California, the Soboba Band of Luiseno Indians, California, and the Table Mountain Rancheria to extend the terms of those compacts. The bill would provide that, in deference to tribal sovereignty, certain actions related to those amended compacts are not projects for the purposes of CEQA.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 12012.111 is added to the Government Code, to read:

12012.111. (a) The following amendments to the tribal-state gaming compacts entered into in accordance with the federal Indian Gaming Regulatory Act of 1988 (18 U.S.C. Secs. 1166 to 1168, inclusive, and 25 U.S.C. Sec. 2701 et seq.), which are for the sole purpose of extending the terms of the tribal-state gaming compacts, are hereby ratified:

- (1) The amendment between the State of California and the Alturas Indian Rancheria, California, executed on July 10, 2023.
- (2) The amendment between the State of California and the Augustine Band of Cahuilla Indians, California, executed on June 7, 2023.
- (3) The amendment between the State of California and the Bear River Band of the Rohnerville Rancheria, California, executed on August 15, 2023.
- (4) The amendment between the State of California and the Berry Creek Rancheria of Maidu Indians of California, executed on July 26, 2023.
- (5) The amendment between the State of California and the Big Sandy Rancheria of Western Mono Indians of California, executed on July 10, 2023.
- (6) The amendment between the State of California and the Bishop Paiute Tribe, executed on July 10, 2023.
- (7) The amendment between the State of California and the Cachil Dehe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria, California, executed on August 15, 2023.
- (8) The amendment between the State of California and the Cahto Tribe of the Laytonville Rancheria, executed on July 10, 2023.
- (9) The amendment between the State of California and the Cahuilla Band of Indians, executed on July 10, 2023.
- (10) The amendment between the State of California and the Campo Band of Diegueno Mission Indians of the Campo Indian Reservation, California, executed on August 15, 2023.
- (11) The amendment between the State of California and the Cher-Ae Heights Indian Community of the Trinidad Rancheria, California, executed on August 15, 2023.
- (12) The amendment between the State of California and the Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria, California, executed on August 15, 2023.
- (13) The amendment between the State of California and the Ewiiapaayp Band of Kumeyaay Indians, California, executed on July 26, 2023.
- (14) The amendment between the State of California and the Manchester Band of Pomo Indians of the Manchester Rancheria, California, executed on August 15, 2023.
- (15) The amendment between the State of California and the Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation, California, executed on July 26, 2023.
- (16) The amendment between the State of California and the Picayune Rancheria of Chukchansi Indians of California, executed on July 26, 2023.
- (17) The amendment between the State of California and the Pit River Tribe, California, executed on June 7, 2023.
- (18) The amendment between the State of California and the Redding Rancheria, California, executed on July 26, 2023.
- (19) The amendment between the State of California and the Resighini Rancheria, California, executed on July 26, 2023.
- (20) The amendment between the State of California and the Sherwood Valley Rancheria of Pomo Indians of California, executed on July 10, 2023.
- (21) The amendment between the State of California and the Soboba Band of Luiseno Indians, California, executed on June 7, 2023.
- (22) The amendment between the State of California and the Table Mountain Rancheria, executed on July 10, 2023.

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

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

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

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

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

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

(2) Except as expressly provided in this section, this subdivision does not exempt a city, county, or city and county, or the Department of Transportation, or any state agency or local jurisdiction, from the requirements of the California Environmental Quality Act.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to enhance the economic development, stability, and self-sufficiency of the Alturas Indian Rancheria, California, the Augustine Band of Cahuilla Indians, California, the Bear River Band of the Rohnerville Rancheria, California, the Berry Creek Rancheria of Maidu Indians of California, the Big Sandy Rancheria of Western Mono Indians of California, the Bishop Paiute Tribe, the Cachil Dehe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria, California, the Cahto Tribe of the Laytonville Rancheria, the Cahuilla Band of Indians, the Campo Band of Diegueno Mission Indians of the Campo Indian Reservation, California, the Cher-Ae Heights Indian Community of the Trinidad Rancheria, California, the Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria, California, the Ewiiapaayp Band of Kumeyaay Indians, California, the Manchester Band of Pomo Indians of the Manchester Rancheria, California, the Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation, California, the Picayune Rancheria of Chukchansi Indians of California, the Pit River Tribe, California, the Redding Rancheria, California, the Resighini Rancheria, California, the Sherwood Valley Rancheria of Pomo Indians of California, the Soboba Band of Luiseno Indians, California, and the Table Mountain Rancheria, and to protect the interests of these tribes and their members, the surrounding communities, and the California public at the earliest possible time, it is necessary that this act take effect immediately.