
SENATE BILL 5265

State of Washington 55th Legislature 1997 Regular Session

By Senators Schow, Wojahn, Horn, Stevens and Benton

Read first time 01/21/97. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to approval of agreements between the state and
2 Indian tribes; amending RCW 9.46.360; and adding a new section to
3 chapter 39.34 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 9.46.360 and 1992 c 172 s 2 are each amended to read
6 as follows:

7 (1) The negotiation process for proposed or amended compacts with
8 federally recognized Indian tribes for conducting class III gaming, as
9 defined in the Indian Gaming Regulatory Act, 25 U.S.C. Sec. 2701 et
10 seq., on federal Indian lands is governed by this section.

11 (2) The gambling commission through the director or the director's
12 designee shall negotiate compacts for class III gaming on behalf of the
13 state with federally recognized Indian tribes in the state of
14 Washington.

15 (3) When a tentative agreement with an Indian tribe on a proposed
16 or amended compact is reached, the director shall immediately transmit
17 a copy of the proposed or amended compact to all voting and ex officio
18 members of the gambling commission and to the (~~standing committees~~

1 ~~designated pursuant to subsection (5) of this section))~~ majority and
2 minority leaders of the senate.

3 (4) Notwithstanding RCW 9.46.040, the four ex officio members of
4 the gambling commission shall be deemed voting members of the gambling
5 commission for the sole purpose of voting on proposed or amended
6 compacts submitted under this section.

7 (5) ~~((Within thirty days after receiving a proposed compact from~~
8 ~~the director, one standing committee from each house of the legislature~~
9 ~~shall hold a public hearing on the proposed compact and forward its~~
10 ~~respective comments to the gambling commission. The president of the~~
11 ~~senate shall designate the senate standing committee that is to carry~~
12 ~~out the duties of this section, and the speaker of the house of~~
13 ~~representatives shall designate the house standing committee that is to~~
14 ~~carry out the duties of this section. The designated committees shall~~
15 ~~continue to perform under this section until the president of the~~
16 ~~senate or the speaker of the house of representatives, as the case may~~
17 ~~be, designates a different standing committee.~~

18 ~~(6))~~ The gambling commission may hold public hearings on the
19 proposed or amended compact any time after receiving a copy of the
20 compact from the director. Within forty-five days after receiving the
21 proposed or amended compact from the director, the gambling commission,
22 including the four ex officio members, shall vote on whether to return
23 the proposed or amended compact to the director with instructions for
24 further negotiation or to forward the proposed or amended compact to
25 the senate for approval and then to the governor for review and final
26 execution.

27 ~~((7) Notwithstanding provisions in this section to the contrary,))~~
28 (6) If the director forwards a proposed or amended compact to the
29 (gambling commission and the designated standing committees within ten
30 days)) senate before the beginning of a regular session of the
31 legislature, or during a regular or special session of the legislature,
32 ((the thirty-day time limit set forth in subsection (5) of this section
33 and the forty-five day limit set forth in subsection (6) of this
34 section are each forty-five days and sixty days, respectively)) the
35 senate has until the adjournment of the regular session to approve the
36 proposed or amended compact. If the senate fails to approve the
37 proposed or amended compact before the adjournment of the regular
38 session, the gambling commission shall renegotiate the proposed or
39 amended compact and resubmit the proposed or amended compact to the

1 senate no later than the first day of the next regular session of the
2 legislature.

3 ((+8)) (7) Funding for the negotiation process under this section
4 must come from the gambling revolving fund.

5 ((+9)) (8) In addition to the powers granted under this chapter,
6 the commission, consistent with the terms of any compact, is authorized
7 and empowered to enforce the provisions of any compact between a
8 federally recognized Indian tribe and the state of Washington.

9 NEW SECTION. Sec. 2. A new section is added to chapter 39.34 RCW
10 to read as follows:

11 An agreement between the state and an Indian tribe is not effective
12 until the agreement has been approved by the senate.

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