

# HOUSE BILL REPORT

## SJM 8004

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**As Passed House:**

April 10, 1995

**Brief Description:** Requesting Congress to direct rejection of Puyallup tribe gaming requests without tribal-state compacts.

**Sponsors:** Senator Heavey.

**Brief History:**

**Committee Activity:**

Commerce & Labor: 3/30/95 [DP].

**Floor Activity:**

Passed House: 4/10/95, 85-11.

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### HOUSE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** Do pass. Signed by 10 members: Representatives Lisk, Chairman; Hargrove, Vice Chairman; Thompson, Vice Chairman; Romero, Ranking Minority Member; Conway, Assistant Ranking Minority Member; Cairnes; Cody; Cole; Goldsmith and Horn.

**Staff:** Pam Madson (786-7166).

**Background:** The Indian Gaming Regulatory Act (IGRA) of 1988 provides a framework that allows tribes to operate gambling activities on tribal lands. IGRA permits tribes to conduct Class I gaming (social games played for prizes of minimal value or traditional forms of tribal games played at tribal ceremonies or celebrations) and Class II gaming (bingo, pulltabs, punchboards, tip jars) without state approval, as long as the state permits such gaming. Tribes desiring to operate Class III gaming (banking card games, blackjack, electronic facsimiles of games of chance, slot machines, and other forms of gaming that are not Class I or Class II gaming) are allowed to do so if done in conformance with a tribal-state compact entered into by the tribe and the state.

IGRA does allow certain tribes to operate specific Class III card games without completion of a tribal-state compact if the tribes were operating these gaming activities on or before May 1, 1988. The Puyallup Indian Tribe has requested the National Indian Gaming Commission to allow the tribe to operate Class III card games under this provision of IGRA, alleging that the tribe operated such games on

or before May 1, 1988, but without evidence that such games were actually operated by the tribe on or before May 1, 1988.

**Summary of Bill:** Congress is requested to direct the National Indian Gaming Commission to reject the Puyallup Indian Tribe's request to operate card games without the benefit of a tribal-state compact, and to require the tribe to proceed with the legitimate negotiation process with the state of Washington that is established by IGRA.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Testimony For:** This is an important statement to make. The state has been negotiating with the Puyallup Tribe. Negotiations have not been successful. The tribe is seeking the ability to operate card games without completing the process to negotiate a compact. If this is allowed, it will upset the scale for all the other tribes who are negotiating compacts. There is no evidence that the Puyallups have a claim under federal law.

**Testimony Against:** None.

**Testified:** Frank Miller, Washington State Gambling Commission.