

SENATE BILL REPORT

SB 5277

As of February 1, 1995

Title: An act relating to compacts with Indian tribes for conducting gaming.

Brief Description: Altering the process for compacts with Indian tribes for conducting gaming.

Sponsors: Senators Wojahn, Deccio, Hale, Franklin, Palmer, Heavey and Pelz.

Brief History:

Committee Activity: Labor, Commerce & Trade: 2/6/95.

SENATE COMMITTEE ON LABOR, COMMERCE & TRADE

Staff: Traci Ratzliff (786-7452)

Background: In 1988, Congress enacted the Indian Gaming Regulatory Act (IGRA) to provide a comprehensive scheme to govern gambling on Indian reservations.

IGRA allows tribes to conduct class I and class II gaming without state approval as long as the state permits such gaming. Class III gaming may be operated on tribal lands only if the games are authorized by the governing body of the tribe; meet the requirements of class II games; are approved by the chairman of the national Indian Gaming Commission; are located in a state that permits such gaming; and are conducted in conformance with a tribal-state compact entered into by the Indian tribe and the state. A tribe that desires to conduct class III gaming must request the state to negotiate a compact. The state must negotiate with the tribe in good faith.

In 1992, the Legislature authorized the Gambling Commission to negotiate tribal compacts on behalf of the state. Tentative compacts are forwarded to the Senate Labor and Commerce and the House Commerce and Labor Committees for public hearing and comment. Proposed compacts must be approved by the Gambling Commission and finally by the Governor.

Summary of Bill: The approval process for tribal state compacts is modified. When the Gambling Commission reaches a tentative agreement with a tribe on a proposed compact or amendments to an existing compact, the Director of the Gambling Commission must forward these documents along with implementing legislation to the next convening Legislature. If the Legislature fails to pass the implementing legislation, the Gambling Commission must renegotiate the proposed compact or amendments to an existing compact, and resubmit the new proposals and implementing legislation to the Legislature no later than the first day of the next regular session.

Appropriation: None.

Fiscal Note: Requested on January 27, 1995.

Effective Date: Ninety days after adjournment of session in which bill is passed.