

SENATE BILL REPORT

SJM 8004

As Passed Senate, March 13, 1995

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

Sponsors: Senator Heavey.

Brief History:

Committee Activity: Labor, Commerce & Trade: 2/6/95, 2/22/95 [DP].
Passed Senate, 3/13/95, 43-4.

SENATE COMMITTEE ON LABOR, COMMERCE & TRADE

Majority Report: Do pass.

Signed by Senators Pelz, Chair; Heavey, Vice Chair; Deccio, Hale, Newhouse, Palmer and Wojahn.

Staff: Traci Ratzliff (786-7452)

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, despite the fact that the tribe was not operating such games 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: The Puyallup Tribe has not met the qualifications established in IGRA that would justify the tribe being grandfathered out of the negotiation process established under IGRA. Therefore, the National Indian Gaming Commission should require the Puyallups to complete the formal negotiation process to conduct class III gaming activities, as is required by IGRA.

Testimony Against: The tribe is not trying to circumvent the negotiation process established by IGRA. The tribe has attempted to negotiate with the state at various times since 1991, but has been unable to reach agreement on a compact.

Testified: PRO: Senator Heavey, prime sponsor; Frank Miller, Gambling Commission;
CON: Michael Turnipseed, member, Puyallup Tribal Council.