

Stand Up For California!

“Citizens making a difference”

standupca.org

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January 10, 2006

Honorable Dean Florez
California State Senator
Chairman of the Governmental Organization Committee
State Capitol Room 5061
Sacramento, CA. 95814

FAX: 916-327-5989

RE: Opposed as Drafted Senate Resolution 20

Dear Senator Florez:

It is important that State Legislators do not limit or give away their “political power” with regard to federal laws and policy governing tribal gaming and governments that is within the jurisdiction of the State of California. Yet SR 20 section 2, as currently drafted does exactly that.

The guidance of section 2 of the resolution limits the authority of California Legislators in providing comprehensive solutions over the growth and management of tribal gaming to the State. Section 2 in essence recommends a moratorium on ratification of new compacts on after acquired lands limiting Legislators from offering alternate sites that resolve long-standing social and environmental conflicts over the location of a proposed casino.

However, Section 1 provides the important and necessary guideline for *when* to consider a tribal state compact for ratification that has been negotiated and concluded. Section 1 of the resolution is consistent with the recent shift in federal policy expressed in the “Warm Springs letter” clarifying that there would be no approval of tribal state compacts for tribes unless it was for gaming on Indian lands of such an Indian tribe. “Accordingly, under the new policy, suitable land must be taken into trust for gaming before the gaming compact will be approved.”¹ Section 1 provides adequate safeguards to all affected parties to express their concerns through participation in the federal fee-to-trust process. Stand Up For California respectfully request modification of the resolution by deleting section 2.

Sincerely,

Cheryl Schmit – Director
916-663-3207

¹ United States Department of the Interior Letter to Honorable Theodore R. Kulongoski, Governor, State of Oregon, May 20, 2005