

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE— 2015–2016 REGULAR SESSION

ASSEMBLY BILL

No. 475

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Introduced by Assembly Member Bigelow  
(Principal coauthor: Senator Berryhill)

February 23, 2015

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An act to add Section 12012.66 to the Government Code, relating to ~~gaming~~, tribal gaming.

LEGISLATIVE COUNSEL'S DIGEST

AB 475, as amended, Bigelow. Tribal ~~gaming~~, gaming: **compact** ratification.

Existing federal law, the Indian Gaming Regulatory Act of 1988, provides for the negotiation and execution of tribal-state gaming **compact**s for the purpose of authorizing certain types of gaming on Indian lands within a state. The California Constitution authorizes the Governor to negotiate and conclude **compact**s, subject to ratification by the Legislature. Existing law *expressly* ratifies a number of tribal-state gaming ~~compact~~s **compact**s, and amendments to tribal-state gaming **compact**s, between the State of California and specified Indian tribes.

~~This bill would state the intent of the Legislature to enact legislation related to tribal gaming in California.~~

*The California Environmental Quality Act (CEQA) requires a lead agency to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, as defined, or to adopt a negative declaration if it finds that the project will not have that effect.*

*This bill would ratify the tribal-state gaming **compact** entered into between the State of California and the **Jackson Rancheria** Band of Miwuk Indians, executed on February 1, 2015. The bill would provide that, in deference to tribal sovereignty, certain actions are not projects for the purposes of CEQA.*

DIGEST KEY

Vote: MAJORITY Appropriation: NO Fiscal Committee: **NOYES** Local Program: NO

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## BILL TEXT

### THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

#### **SECTION 1.**

*Section 12012.66 is added to the Government Code, to read:*

##### **12012.66.**

(a) The tribal-state gaming **compact** entered into in accordance with the federal Indian Gaming Regulatory Act of 1988 (18 U.S.C. Secs. 1166 to 1168, inclusive, and 25 U.S.C. Sec. 2701 et seq.) between the State of California and the **Jackson Rancheria** Band of Miwuk Indians, executed on February 1, 2015, is hereby ratified.

(b) (1) In deference to tribal sovereignty, none of the following shall be deemed a project for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code):

(A) The execution of an amendment to the tribal-state gaming **compact** ratified by this section.

(B) The execution of the tribal-state gaming **compact** ratified by this section.

(C) The execution of an intergovernmental agreement between a tribe and a county or city government negotiated pursuant to the express authority of, or as expressly referenced in, the tribal-state gaming **compact** ratified by this section.

(D) The execution of an intergovernmental agreement between a tribe and the Department of Transportation negotiated pursuant to the express authority of, or as expressly referenced in, the tribal-state gaming **compact** ratified by this section.

(E) The on-reservation impacts of compliance with the terms of the tribal-state gaming **compact** ratified by this section.

(F) The sale of **compact** assets, as defined in subdivision (a) of Section 63048.6, or the creation of the special purpose trust established pursuant to Section 63048.65.

(2) Except as expressly provided herein, this subdivision does not exempt a city, county, or city and county, or the Department of Transportation, from the requirements of the California Environmental Quality Act.

#### ~~SECTION 1.~~

~~It is the intent of the Legislature to enact legislation related to tribal gaming in California.~~