

Stand Up For California!
“Citizens making a difference”

www.standupca.org

P.O. Box 355
Penryn, CA 95663

August 21, 2009

Honorable Jared Huffman
California State Assembly Member
California State Capitol
Room 3120
Sacramento, CA. 95814
FAX: 916-319-2106

RE: SUPPORT – Assembly Concurrent Resolution No. 56
As amended in Assembly April 20, 2009

Dear Assembly Member Huffman:

Stand Up For California! appreciates your persistence to develop language which provides guidance to the Legislature when a tribal state compact is submitted for ratification. 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.

- ACR 56 respectfully requests that a Governor of the State “refrain from negotiating a tribal state gaming compact until the land on which such gaming will occur has been taken into trust for the tribe...” This does not limit the authority of the Governor or the Legislators to act when extraordinary circumstances necessitating comprehensive solutions over the growth and management of tribal gaming exist.
- ACR 56 provides the important and necessary guideline for *when* to consider a tribal state compact for ratification that has been negotiated and concluded. The resolution is consistent with the shift in federal policy expressed in 25 CFR 292, the new regulation which addresses after acquired lands in Section 20 of the Indian Gaming Regulatory Act.
- ACR 56 provides adequate safeguards to all affected parties to express their concerns through participation in the federal fee-to-trust process without the worry of political influences on the regulatory process.
- ACR 56 provides guidance criteria by which the Legislature can enter into a deliberate process for the establishment of gaming policy ensuring the welfare of all citizens of the State.

Many of the affected local governments today are experiencing shortfalls in their general funds. Perhaps ACR 56 should be slightly amended to require the promoters or developers of an off reservation casino project to provide the necessary funds for the advisory election.

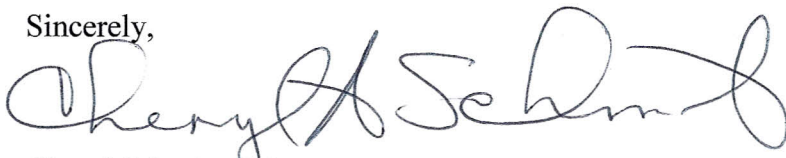
It seems pretty clear that the development of a local agreement cannot be the only consideration for community support. How can it be a legitimate agreement supported by the larger population if there has not been any public comment accepted in its development, public hearings with an opportunity to debate the agreement **or more significantly a vote of the electorate to amend the cities own ordinances on the prohibition of gaming expansion beyond charitable Bingo.** Nor can agreements be made up of unenforceable promises such as jobs and job training to local residents only.

The process must indicate that all affected parties were included. There must be more than a letter from the developers who stand to make money on the sale of the property, or the signatures of citizens who have received free gifts, or a job by the developer to promote the facility. Is the support unsolicited and non-paid?

Tribal State compacts must promote a balance between tribal powers and state powers. There must be assurances in the language that prevents unfair competition between similar businesses, and unintended consequences to the limited shared natural resources.

Please list *Stand Up for California!* in **SUPPORT of ACR 56.**

Sincerely,

A handwritten signature in blue ink that reads "Cheryl Schmit". The signature is fluid and cursive, with a large initial "C" and "S".

Cheryl Schmit – Director

916-663-3207

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