

Date of Hearing: January 6, 2016

ASSEMBLY COMMITTEE ON GOVERNMENTAL ORGANIZATION

Adam Gray, Chair

AB 1355 (Gray) – As Introduced February 27, 2015

SUBJECT: Gaming: Tribal Nation Grant Fund

SUMMARY: Specify that the Tribal Nation Grant Fund (TNGF) reflects a vision of facilitating the development of tribal institutions and improving the quality of life of tribal people throughout the state.

EXISTING LAW:

- 1) Existing federal law, the Indian Gaming Regulatory Act of 1988, provides for the negotiation and execution of tribal-state gaming compacts 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 compacts, subject to ratification by the Legislature.
- 2) Existing law ratifies a number of tribal-state gaming compacts between the State of California and specified Indian tribes, including the compact entered into between the State of California and the Viejas Band of Kumeyaay Indians.
- 3) Creates in the State Treasury the Indian Gaming Special Distribution Fund (IGSDF) and the Indian Gaming Revenue Sharing Trust Fund (IGRSTF) for the receipt and deposit of moneys received by the state from Indian tribes pursuant to the terms of gaming compacts and authorizes moneys in those funds to be used for certain purposes.
- 4) Establishes the TNGF, to be administered by the California Gambling Control Commission (CGCC), for the receipt and deposit of moneys received by the state from Indian tribes, pursuant to the terms of tribal-state gaming compacts, and authorizes moneys in the fund, upon appropriation by the Legislature, to be used for discretionary distribution to nongaming tribes and limited gaming tribes for purposes related to effective self-governance, self-determined community, and economic development.

FISCAL EFFECT: This bill is keyed non-fiscal by Legislative Counsel.

COMMENTS:

Purpose of the bill: According to the author's office, this bill will further the vision of creating a competitive grant fund for non-gaming tribes or those with very limited gaming for economic development, infrastructure, health care, education and other projects. The goal of this bill is to help establish an effective structure for the TNGF and to increase the impact of gaming revenues on non/limited gaming tribes.

The TNGF was created in the Graton Rancheria Compact and subsequent compacts (e.g., Ramona Band of Cahuilla, Coyote Valley Band of Pomo Indians, and Santa Ynez Band of Mission Indians) as a new destination for gaming revenue for distribution of funds to non-gaming and limited-gaming tribes, upon application of such tribes for purposes related to effective self-governance, self-determined community, and economic development.

The author's office states that the TNGF was created to complement the RSTF. The TNGF is intended to be fluid, and payments are intended to be made to specified tribes on a "need" basis, upon application by non-gaming and limited gaming tribes. Currently, the TNGF is not being funded due to shortfalls in the IGRSTF.

According to the Governor's office, the TNGF reflects a vision of facilitating the development of tribal institutions and improving the quality of life of tribal people throughout the state.

Prior legislation: AB 1916 (Hall), Chapter 600, Statutes of 2014. The bill created the TNGF in the State Treasury, to be administered by the CGCC, for the receipt and deposit of monies received by the state from Indian tribes pursuant to the terms of tribal-state gaming compacts.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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