

SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: Supervisor Jim Venable

SUBMITTAL DATE: February 25, 2003

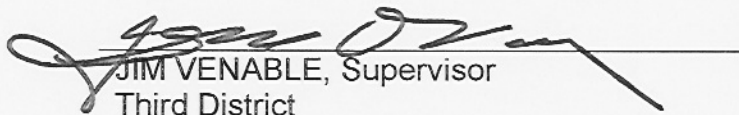
SUBJECT: Adoption of Resolution No. 2003-105 Support for the Indian Gaming Local Community Benefits Act, as developed by the Tribal Alliance of Sovereign Nations' (TASIN) Local Government Committee, for allocating and distributing the Indian Gaming Special Distribution Fund.

RECOMMENDED MOTION: That the Board of Supervisors adopt Resolution No. 2003-105 and direct the Clerk of the Board to forward a copy of the resolution to TASIN.

BACKGROUND: Existing law (GC §12012.85) creates in the State Treasury the Indian Gaming Special Distribution Fund (SDF) for the receipt and deposit of money received by the State from Indian tribes pursuant to the terms of Tribal-State Gaming Compacts. Furthermore, existing law authorizes money in the fund to be appropriated for certain purposes, including "Grants, including any administrative costs, for the support of state and local government agencies impacted by tribal government gaming." Tribes operating more than 200 machines as of September 1999 began making contributions into the SDF in October 2002. The first allocation was due to occur in January 2003; however, the Legislature is yet to adopt a methodology for allocating the funds.

In March 2002, the Tribal Alliance of Sovereign Nations (TASIN), a coalition of 14 federally recognized tribes operating a total of nine casinos in Santa Barbara, Riverside and San Bernardino counties, formed a local government committee to develop a proposal for consideration by the Legislature for allocating and distributing money in the SDF. The Final Proposal, known as the Indian Gaming Local Community Benefits Act, was designed to create a mechanism through which revenues generated by tribal areas are re-directed back to locally impacted areas.

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JIM VENABLE, Supervisor  
Third District

The Act, as developed by the local government committee, will provide for a continuing appropriation of funds in the SDF based on the following formula:

40% for entitlement funds for qualifying local cities and counties impacted by gaming operations conducted by tribes contributing to the SDF. Criteria are based on geographical proximity of a city or county to the tribal land on which the tribal casino is located.

20% for grant allocation to local cities and counties impacted by gaming operations conducted by tribes contributing to the SDF. Criteria are service oriented in nature and include law enforcement and/or district attorney costs, fire/emergency services, affordable housing, environmental impacts, water supplies and/or waste disposal, behavioral health, planning and/or adjacent land uses, public health, roads, public transportation services, solid waste management, recreation and/or youth programs, or child care programs. (The County will administer these grants and will be entitled to demonstrated administrative costs.)

30% for grant allocation to cities and counties impacted by gaming operations conducted by tribes not contributing to the SDF and for grants to state agencies impacted by tribal gaming.

10% for grants to programs designed to address gambling addiction and state regulatory costs.

The State will contract with a neutral entity to conduct a study of gaming impacts on cities and counties within three years for submission to the Legislature. The Legislature may consider modifying the above formula(s) based on impacts demonstrated in the report.

A subcommittee is currently working on drafting legislative language for the Act. The County Executive Office and Third District staff are members of this subcommittee. Several spot bills have been introduced in the Legislature as potential vehicles for the Act once drafted.

2 RESOLUTION NO. 2003-105

3 SUPPORT FOR THE INDIAN GAMING LOCAL COMMUNITY BENEFITS ACT,  
4 AS DEVELOPED BY THE TRIBAL ALLIANCE OF SOVEREIGN INDIAN NATIONS' (TASIN)  
5 LOCAL GOVERNMENT COMMITTEE FOR ALLOCATING AND DISTRIBUTING  
6 THE INDIAN GAMING SPECIAL DISTRIBUTION FUND

7 WHEREAS, as set forth in the Tribal-State Compact, the Indian Gaming Special  
8 Distribution Fund is designed to provide grants for gambling addiction programs, grants to  
9 state and local governments impacted by tribal government gaming, compensation for  
10 regulatory costs incurred by the State Gaming Agency and the State Department of Justice in  
11 connection with the implementation and administration of the Compact, payment of shortfalls in  
12 the Revenue Sharing Trust Fund, and any other purpose specified by the Legislature; and

13 WHEREAS, in October 2002, tribes operating more than 200 machines as of  
14 September 1999 began making contributions into the Indian Gaming Special Distribution Fund;  
15 and

16 WHEREAS, it is estimated that TASIN tribal governments will contribute more than \$1  
17 billion to the fund through 2020, an estimated 2/3rds of all payments into the Indian Gaming  
18 Special Distribution Fund; and

19 WHEREAS, in March 2002, the Tribal Alliance of Sovereign Indian Nations (TASIN), an  
20 organization comprised of fourteen federally recognized tribes located within Riverside, San  
21 Bernardino and Santa Barbara counties, in a cooperative spirit of government-to-government  
22 relations to build stronger communities, invited local governments in the vicinity of TASIN tribal  
23 casinos to form and participate in the Local Government Committee to develop a plan for  
24 allocation and distributing the Indian Gaming Special Distribution Fund; and

25 WHEREAS, TASIN and the Local Government Committee strongly believe the majority  
26 of the Indian Gaming Special Distribution Fund moneys should be returned to local  
27 communities impacted by tribal government gaming; and

28 WHEREAS, the Local Government Committee, consisting of representatives from  
29 Riverside, San Bernardino and Santa Barbara counties and more than a dozen cities,  
30 developed a plan that established a process and sets forth priorities for the distribution of funds  
whereby a majority of the Indian Gaming Special Distribution Fund moneys return to local

1 communities impacted by gaming as prescribed under section 5.2 of the Tribal-State Compact  
2 and AB 1385; and

3 WHEREAS, TASIN and the Local Government Committee call upon the leadership of  
4 the Legislature to pass legislation which faithfully reflects and adopts the plan prepared by the  
5 Local Government Committee into a law to be known as the Indian Gaming Local Community  
6 Benefits Act; and

7 WHEREAS, SB 1385, which ratified the Tribal-State Compacts in 1999, calls for the  
8 Legislature to appropriate moneys from the Indian Gaming Special Distribution Fund; and

9 WHEREAS, in light of the current state budget crisis, the need to allocate a majority of  
10 the Indian Gaming Special Distribution Fund to local governments impacted by tribal  
11 government gaming has become even more urgent; now, therefore,

12 BE IT RESOLVED, Board of Supervisors of the County of Riverside, State of California,  
13 assembled in regular session on February 25, 2003 does hereby support the Indian Gaming  
14 Local Community Benefits Act, as developed by the TASIN Local Government Committee, for  
15 allocating and distributing the Indian Gaming Special Distribution Fund, and urges the  
16 Legislature to pass and the Governor to sign legislation implementing the Act.

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