

1 SJR2
2 179191-1
3 By Senator Brewbaker
4 RFD: Rules
5 First Read: 15-AUG-16

1 179191-1:n:08/15/2016:LFO-SS/csh

2

3

4

5

6

7

8 URGING THE GOVERNOR TO ENTER INTO GOOD FAITH
9 NEGOTIATIONS WITH THE POARCH CREEK INDIANS FOR THE
10 ESTABLISHMENT OF TRIBAL-STATE COMPACT.

11

12 WHEREAS, the Poarch Band of Creek Indians is the
13 only federally recognized Indian tribe in the State of Alabama
14 and thus enjoys the status of a sovereign nation; and

15 WHEREAS, under federal law, the Poarch Band is
16 authorized to conduct gaming activities on Indian land and
17 such activities do not require action by the Alabama
18 Legislature; and

19 WHEREAS, the Indian Gaming Regulatory Act, 25 U.S.C.
20 Section 2701, et seq., requires the Governor to enter into
21 good faith negotiations with the Poarch Band for the purpose
22 of establishing a Tribal-State Compact to establish Class III
23 gaming within the State of Alabama; and

24 WHEREAS, the establishment of a Tribal-State Compact
25 will serve to generate large sums of revenue for the state
26 from sources that are exempt from state taxation under federal
27 law; and

1 WHEREAS, the establishment of a Tribal-State Compact
2 will serve to control the proliferation of Class III gaming
3 within the State of Alabama; and

4 WHEREAS, federal law requires that income generated
5 by Class III gaming by the Poarch Band be utilized for the
6 benefit and welfare of the Indian tribe; now therefore,

7 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
8 HOUSES THEREOF CONCURRING, That Governor Robert Bentley is
9 directed to comply with the requirements of the Indian Gaming
10 Regulatory Act and to enter into good faith negotiations with
11 the Poarch Band of Creek Indians no later than October 1, 2017
12 for the purpose of developing a Tribal-State Compact that will
13 ensure the State of Alabama receives its fair and equitable
14 share of revenue generated by Indian gaming activities within
15 the state for the exclusive purpose of generating revenue for
16 the State General Fund.