

Questions, Concerns and Proposals

1. The governor should not execute a compact for gaming on lands which, as of October 17, 1988, were not part of a reservation or held in trust for a tribe by the United States. Gaming sites should be specified in the compacts. A compact should be terminated if a tribe conducts gaming on other lands.
2. No compact should be executed unless the new tier plan is accepted by all of the compacted and mediated tribes.
3. Compacts should provide that they are terminated if: 1) a court finally determines that IGRA unlawfully compels the states to negotiate or conclude compacts, or 2) the particular type of gaming authorized in the compact is no longer authorized by federal or state law. (This replaces the "enforceability" clause in the proposed compact.)
4. Compacts should provide that they are terminated if the tribe violates any provision of the compact.
5. Compacts should have a nonseverability clause instead of a severability clause.
6. Compacts which authorize OTB or simulcast should make these activities subject to the same restriction on OTB and simulcast conducted off the Indian lands.
7. Compacts should provide that they are terminated if any person is convicted of organized criminal activity in connection with the conduct of gaming authorized by the compact.
8. Any new IGA's with tribes should not specify that the legislature will act by June 1.