

1 SENATE JOINT RESOLUTION 37

2 45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

3 INTRODUCED BY

4 Carlos R. Cisneros

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10 A JOINT RESOLUTION

11 APPROVING THE TRIBAL-STATE CLASS III GAMING COMPACTS NEGOTIATED
12 BY THE GOVERNOR OF THE STATE OF NEW MEXICO AND THE PUEBLOS OF
13 ACOMA, ISLETA, LAGUNA, SANDIA, SAN FELIPE, SAN JUAN, SANTA ANA,
14 SANTA CLARA, TAOS AND TESUQUE AND THE JICARILLA APACHE NATION
15 PURSUANT TO THE COMPACT NEGOTIATION ACT.

16
17 WHEREAS, the Compact Negotiation Act authorizes the
18 governor to negotiate the terms of a compact between the state
19 and Indian nations, tribes and pueblos located in New Mexico,
20 referred to as "tribes" herein, for the conduct of class III
21 gaming under the federal Indian Gaming Regulatory Act; and

22 WHEREAS, the Compact Negotiation Act provides for
23 legislative involvement in the negotiation process and review
24 of the proposed compact through the legislative committee on
25 compacts and legislative approval of a proposed compact by a

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1 majority vote of each house before the proposed compact may be
2 executed by the governor; and

3 WHEREAS, Governor Gary E. Johnson on February 20, 2001
4 submitted to the legislative committee on compacts a proposed
5 compact negotiated on behalf of the state with various tribes
6 for the conduct of class III gaming; and

7 WHEREAS, the legislative committee on compacts reviewed
8 the proposed compact and requested the governor to resume
9 negotiations with the tribes on various points, as provided for
10 in the Compact Negotiation Act; and

11 WHEREAS, the tribes and the governor resumed negotiations
12 and modified the proposed compact to reflect many of the
13 proposals suggested by the legislative committee on compacts;
14 and

15 WHEREAS, as a result of those renegotiations between the
16 governor and the tribes, a proposed modified compact agreed to
17 by Governor Gary E. Johnson and the Pueblos of Acoma, Isleta,
18 Laguna, Sandia, San Felipe, San Juan, Santa Ana, Santa Clara,
19 Taos and Tesuque and the Jicarilla Apache Nation was submitted
20 by the governor to the legislative committee on compacts on
21 March 2, 2001 for the committee's review; and

22 WHEREAS, the Compact Negotiation Act allows the
23 legislature to approve more than one compact in a single
24 resolution if the terms of the compacts are identical, except
25 for the names of the tribes and the persons executing the

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1 compacts; and

2 WHEREAS, the Compact Negotiation Act allows the governor
3 to execute additional compacts identical to one approved under
4 that act without submitting the compacts for legislative
5 approval; and

6 WHEREAS, the proposed compact cannot be executed by the
7 governor with a particular tribe until the attorney general
8 certifies that the tribe has reached a settlement that is
9 satisfactory to the attorney general in litigation captioned
10 *State of New Mexico v. Jicarilla Apache Tribe, et al.*; and

11 WHEREAS, the legislature believes that the state and the
12 tribes wish to settle that litigation as expeditiously and as
13 equitably as possible; and

14 WHEREAS, the legislative committee on compacts has
15 reviewed and considered the proposed compact negotiated and
16 agreed to by the governor and the Pueblos of Acoma, Isleta,
17 Laguna, Sandia, San Felipe, San Juan, Santa Ana, Santa Clara,
18 Taos and Tesuque and the Jicarilla Apache Nation and, based
19 upon that review and pursuant to the Compact Negotiation Act,
20 hereby submits that proposed compact to the legislature for
21 approval with its recommendation that it be approved by the
22 legislature;

23 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
24 STATE OF NEW MEXICO that the proposed compact, attached hereto,
25 submitted to the committee on compacts on March 2, 2001,

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1 negotiated and agreed to by the state and the Pueblos of Acoma,
2 Isleta, Laguna, Sandia, San Felipe, San Juan, Santa Ana, Santa
3 Clara, Taos and Tesuque and the Jicarilla Apache Nation be
4 hereby approved.

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