



STATE CAPITOL
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Assembly
California Legislature
Committee on Rules

RICHARD S. GORDON
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JAY OBERNOLTE (R-ALT.)

Monday, August 15, 2016
12:50 PM
State Capitol, Room 3162

CONSENT CALENDAR

Bill Referrals

1. Consent Bill Referrals

[Page 2](#)

Requests to Add Urgency Clause

2. SB 187 (Hall) Relative to Horse racing: out-of-state thoroughbred races: Wood Memorial.
3. SB 1313 (Hall) Relative to Gambling: California Gambling Control Commission.

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REFERRAL OF BILLS TO COMMITTEE

08/15/2016

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	Committee:
ACR 200	RLS.
ACR 201	RLS.
HR 62	A.,E.,S.,T. & I. M.
HR 63	RLS.
SCR 97	RLS.
SCR 144	NAT. RES.
SCR 147	TRANS.
SCR 149	TRANS.
SCR 150	RLS.
SCR 151	TRANS.
SCR 152	TRANS.
SCR 159	RLS.
SCR 160	RLS.
SCR 164	RLS.
SJR 25	JUD.
SJR 26	HEALTH



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Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 8/12/2016
Re: Consent Bill Referrals

Since you received your preliminary list of bill referrals, there have been no changes.



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AMENDED IN SENATE APRIL 21, 2015

SENATE BILL

No. 187

Introduced by Senator Hall

February 9, 2015

An act to amend Section 19596.2 of the Business and Professions Code, relating to horse racing.

LEGISLATIVE COUNSEL'S DIGEST

SB 187, as amended, Hall. Horse racing: ~~out-of-country out-of-state thoroughbred races~~. *Wood Memorial*.

The Horse Racing Law authorizes a thoroughbred racing association or fair to distribute the audiovisual signal and accept wagers on the results of out-of-state thoroughbred races conducted in the United States during the calendar period the association or fair is conducting a race meeting, including days on which there is no live racing being conducted by the association or fair, without the consent of the organization that represents horsemen and horsewomen participating in the race meeting and without regard to the amount of purses. Under that law, the total number of thoroughbred races imported by associations or fairs on a statewide basis under these provisions are required to not exceed 50 per day on days when live thoroughbred or fair racing is being conducted in the state, with the exception of prescribed races, including races imported that are part of the race card of the Kentucky Derby, the Kentucky Oaks, the Preakness Stakes, the Belmont Stakes, the Jockey Club Gold Cup, the Travers Stakes, the Arlington Million, the Breeders' Cup, the Dubai *World* Cup, the Arkansas Derby, the Apple Blossom Handicap, or the Haskell Invitational.

This bill would ~~delete from the 50 imported race per day limitation, races imported that are part of the race card of the Dubai Cup~~. The bill

would instead also exempt from the 50 imported race per day race-per-day limitation, races imported that are part of the race card of any out-of-country thoroughbred race approved by the California Horse Racing Board: *the Wood Memorial*.

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19596.2 of the Business and Professions
 2 Code is amended to read:
 3 19596.2. (a) Notwithstanding any other law and except as
 4 provided in Section 19596.4, a thoroughbred racing association
 5 or fair may distribute the audiovisual signal and accept wagers on
 6 the results of out-of-state thoroughbred races conducted in the
 7 United States during the calendar period the association or fair is
 8 conducting a race meeting, including days on which there is no
 9 live racing being conducted by the association or fair, without the
 10 consent of the organization that represents horsemen and
 11 horsewomen participating in the race meeting and without regard
 12 to the amount of purses. Further, the total number of thoroughbred
 13 races imported by associations or fairs on a statewide basis under
 14 this section shall not exceed 50 per day on days when live
 15 thoroughbred or fair racing is being conducted in the state. The
 16 limitation of 50 imported races per day does not apply to any of
 17 the following:
 18 (1) Races imported for wagering purposes pursuant to
 19 subdivision (c).
 20 (2) Races imported that are part of the race card of the Kentucky
 21 Derby, the Kentucky Oaks, the Preakness Stakes, the Belmont
 22 Stakes, the Jockey Club Gold Cup, the Travers Stakes, the
 23 Arlington Million, the Breeders' Cup, *the Dubai World Cup*, the
 24 Arkansas Derby, the Apple Blossom Handicap, ~~or the Haskell~~
 25 ~~Invitational, or any out-of-country thoroughbred race approved by~~
 26 ~~the board:~~ *the Wood Memorial*.
 27 (3) Races imported into the northern zone when there is no live
 28 thoroughbred or fair racing being conducted in the northern zone.
 29 (4) Races imported into the combined central and southern zones
 30 when there is no live thoroughbred or fair racing being conducted
 31 in the combined central and southern zones.

1 (b) Any thoroughbred association or fair accepting wagers
2 pursuant to subdivision (a) shall conduct the wagering in
3 accordance with the applicable provisions of Sections 19601,
4 19616, 19616.1, and 19616.2.

5 (c) No thoroughbred association or fair may accept wagers
6 pursuant to this section on out-of-state races commencing after 7
7 p.m., Pacific standard time, without the consent of the harness or
8 quarter horse racing association that is then conducting a live racing
9 meeting in Orange *County* or Sacramento ~~Counties~~. *County*.

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California Legislature

SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION

ISADORE HALL, III
CHAIRMAN



STAFF
ARTHUR TERZAKIS
CONSULTANT
FELIPE LOPEZ
CONSULTANT
BRENDA K. HEISER
COMMITTEE ASSISTANT

August 12, 2016

The Honorable Richard Gordon, Chairman
Assembly Rules Committee
State Capitol, Room 3016
Sacramento, CA 95814

Dear Assembly Member Gordon:

I respectfully request permission to add an urgency clause to SB 187 (Hall). This bill currently relates to horse racing. The proposed amendments would gut the contents of the current bill and add "boiler plate" language that would ratify the tribal-state gaming compact entered into between the State of California and the Jamul Indian Village, executed August 8, 2016.

An urgency clause is necessary in order to enhance the economic development, stability, and self-sufficiency of the Jamul tribe and to protect its members, the surrounding community, and the general public at the earliest possible time. Historically speaking, virtually all of the tribal compact ratification bills have contained an urgency clause.

Thank you in advance for your consideration of this request.

Sincerely,

A handwritten signature in blue ink, reading "Isadore Hall, III".

ISADORE HALL, III
Chairman, Senate Governmental Organization Committee

AMENDMENTS TO SENATE BILL NO. 187
AS AMENDED IN SENATE APRIL 21, 2015

Amendment 1

In the title, in line 1, strike out "amend Section 19596.2 of the Business and Professions", strike out line 2 and insert:

add Section 12012.77 to the Government Code, relating to tribal gaming, and declaring the urgency thereof, to take effect immediately.

Amendment 2

On page 2, before line 1, insert:

SECTION 1. Section 12012.77 is added to the Government Code, to read:
12012.77. (a) The tribal-state gaming compact entered into in accordance with the federal Indian Gaming Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, inclusive, and 25 U.S.C. Sec. 2701 et seq.) between the State of California and the Jamul Indian Village of California, executed on August 8, 2016, is hereby ratified.

(b) (1) In deference to tribal sovereignty, none of the following shall be deemed a project for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code):

(A) The execution of an amendment to the tribal-state gaming compact ratified by this section.

(B) The execution of the tribal-state gaming compact ratified by this section.

(C) The execution of an intergovernmental agreement between a tribe and a county or city government negotiated pursuant to the express authority of, or as expressly referenced in, the tribal-state gaming compact ratified by this section.

(D) The execution of an intergovernmental agreement between a tribe and the Department of Transportation negotiated pursuant to the express authority of, or as expressly referenced in, the tribal-state gaming compact ratified by this section.

(E) The on-reservation impacts of compliance with the terms of the tribal-state gaming compact ratified by this section.

(F) The sale of compact assets, as defined in subdivision (a) of Section 63048.6, or the creation of the special purpose trust established pursuant to Section 63048.65.

(2) Except as expressly provided herein, this subdivision does not exempt a city, county, or city and county, or the Department of Transportation, from the requirements of the California Environmental Quality Act.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to enhance the economic development, stability, and self-sufficiency of the Jamul Indian Village of California and to protect the interests of the tribe and its members, the surrounding community, and the California public at the earliest possible time, it is necessary that this act take effect immediately.



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Substantive

Amendment 3

On page 2, strike out lines 1 to 31, inclusive, and strike out page 3

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Introduced by Senator Hall

February 19, 2016

An act to amend Section 19819 of the Business and Professions Code, relating to gambling.

LEGISLATIVE COUNSEL'S DIGEST

SB 1313, as introduced, Hall. Gambling: California Gambling Control Commission.

Existing law, the Gambling Control Act, provides for the licensure and regulation of various legalized gambling activities and establishments by the California Gambling Control Commission and the investigation and enforcement of those activities and establishments by the Department of Justice. The act requires 5 members to be appointed to the commission by the Governor, subject to confirmation by the Senate. The act specifies that a majority of the appointed members of the commission is a quorum and that the concurring vote of 3 members of the commission is required for any official action of the commission or for the exercise of any of the commission's duties, powers, or functions. Existing law requires that a public record of every vote of the commission be maintained at its principal office.

This bill would additionally require that a public record of every vote of the commission be posted on the commission's Internet Web site no later than 48 hours after the vote is taken.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19819 of the Business and Professions
2 Code is amended to read:

3 19819. (a) The commission shall establish and maintain a
4 general office for the transaction of its business in Sacramento.
5 The commission may hold meetings at any place within the state
6 when the interests of the public may be better served.

7 (b) A public record of every vote shall be maintained at the
8 commission's principal ~~office~~. *office and posted on the*
9 *commission's Internet Web site no later than 48 hours after the*
10 *vote is taken.*

11 (c) A majority of the membership of the commission is a quorum
12 of the commission. The concurring vote of three members of the
13 commission shall be required for any official action of the
14 commission or for the exercise of any of the commission's duties,
15 powers, or functions.

16 (d) Except as otherwise provided in this chapter, Article 9
17 (commencing with Section 11120) of Chapter 1 of Part 1 of
18 Division 3 of Title 2 of the Government Code applies to meetings
19 of the commission. Notwithstanding Section 11125.1 of the
20 Government Code, ~~documents, which~~ *documents that* are filed
21 with the commission by the department for the purpose of
22 evaluating the qualifications of an ~~applicant~~, *applicant* are exempt
23 from disclosure under Chapter 3.5 (commencing with Section
24 6250) of Division 7 of Title 1 of the Government Code.

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BRENDA K HEISER
COMMITTEE ASSISTANT

August 12, 2016

The Honorable Richard Gordon, Chairman
Assembly Rules Committee
State Capitol, Room 3016
Sacramento, CA 95814

Dear Assembly Member Gordon:

I respectfully request permission to add an urgency clause to SB 1313 (Hall). This bill currently relates to the California Gambling Control Commission. The proposed amendments would gut the contents of the current bill and add "boiler plate" language that would ratify the tribal-state gaming compact entered into between the State of California and the Yocha Dehe Wintun Nation, executed August 4, 2016.

An urgency clause is necessary in order to enhance the economic development, stability, and self-sufficiency of the Yocha Dehe tribe and to protect its members, the surrounding community, and the general public at the earliest possible time. Historically speaking, virtually all of the tribal compact ratification bills have contained an urgency clause.

Thank you in advance for your consideration of this request.

Sincerely,

A handwritten signature in blue ink, reading "Isadore Hall, III".

ISADORE HALL, III
Chairman, Senate Governmental Organization Committee

AMENDMENTS TO SENATE BILL NO. 1313

Amendment 1

In the title, strike out lines 1 and 2 and insert:

An act to add Section 12012.78 to the Government Code, relating to tribal gaming, and declaring the urgency thereof, to take effect immediately.

Amendment 2

On page 2, before line 1, insert:

SECTION 1. Section 12012.78 is added to the Government Code, to read:
12012.78. (a) The tribal-state gaming compact entered into in accordance with the federal Indian Gaming Regulatory Act of 1988 (18 U.S.C. Secs. 1166 to 1168, inclusive, and 25 U.S.C. Sec. 2701 et seq.) between the State of California and the Yocha Dehe Wintun Nation, executed on August 4, 2016, is hereby ratified.

(b) (1) In deference to tribal sovereignty, none of the following shall be deemed a project for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code):

(A) The execution of an amendment to the tribal-state gaming compact ratified by this section.

(B) The execution of the tribal-state gaming compact ratified by this section.

(C) The execution of an intergovernmental agreement between a tribe and a county or city government negotiated pursuant to the express authority of, or as expressly referenced in, the tribal-state gaming compact ratified by this section.

(D) The execution of an intergovernmental agreement between a tribe and the Department of Transportation negotiated pursuant to the express authority of, or as expressly referenced in, the tribal-state gaming compact ratified by this section.

(E) The on-reservation impacts of compliance with the terms of the tribal-state gaming compact ratified by this section.

(F) The sale of compact assets, as defined in subdivision (a) of Section 63048.6, or the creation of the special purpose trust established pursuant to Section 63048.65.

(2) Except as expressly provided herein, this subdivision does not exempt a city, county, or city and county, or the Department of Transportation, from the requirements of the California Environmental Quality Act.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to enhance the economic development, stability, and self-sufficiency of the Yocha Dehe Wintun Nation and to protect the interests of the tribe and its members, the surrounding community, and the California public at the earliest possible time, it is necessary that this act take effect immediately.



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Substantive

Amendment 3
On page 2, strike out lines 1 to 24, inclusive

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