



PRESS RELEASE from the Washington State Gambling Commission
January 10, 2014

Tribal and State negotiators have reached a tentative agreement with the Lummi Nation on an amendment to their Class III Gaming Compact. See pages 2 and 3 for a summary of the tentative agreement and the proposed compact amendment.

Process:

When a tentative agreement with an Indian Tribe is reached, the proposed compact amendment is transmitted for a hearing before a standing committee of the State House of Representatives and the State Senate within 30 days of receipt, with comments forwarded to the Gambling Commission. Within 45 days after receiving the proposed compact amendment, the Gambling Commission, including ex officio members, will vote to determine whether to forward the proposed compact amendment to the Governor for review and execution or return it for further negotiation (RCW 9.46.360).

Public Hearing Dates:

Public hearings provide the public with an opportunity for comment regarding the proposed Class III Gaming Compact Amendment.

- **Monday, January 13, 2014:** The House Government Accountability and Oversight Committee will hold its hearing on January 13, 2014. For questions about this hearing, please contact Thamas Osborn, Counsel for the House Government Accountability and Oversight Committee, at (360) 786-7129.
- **Thursday, January 16, 2014:** The Gambling Commission plans to hold its public hearing concerning the proposed Class III Gaming Compact Amendment on January 16, 2014, at the Comfort Inn Conference Center in Tumwater, Washington. The meeting agenda, including the time and location of the meeting, is available on our website (www.wsgc.wa.gov). For questions about this hearing, please contact Susan Newer, Public Information Officer, Washington State Gambling Commission, at (360) 486-3466.
- **Friday, January 17, 2014:** The Senate Commerce and Labor Committee will hold its hearing on January 17, 2014. For questions about this hearing, please contact Mac Nicholson, Counsel for the Senate Commerce and Labor Committee, at (360) 786-7445.

SUMMARY OF THE LUMMI NATION PROPOSED COMPACT AMENDMENT

- The Indian Gaming Regulatory Act of 1988, 25 U.S.C. § 2701 *et. seq.*, provides that Indian tribes may conduct Class III gaming activities (*e.g.* Las Vegas-style games) on Indian lands “in a State that permits such gaming for any purpose, organization or entity” when the gaming is conducted in conformance with a Tribal-State compact.
- [RCW 9.46.360](#) provides that the Director of the Gambling Commission shall negotiate gaming compacts for the State, and that the Director must give notice of the proposed compacts to the Gambling Commission and the Legislature once a tentative agreement is reached with a Tribe.
- Within 30 days of receiving the proposed compact, a designated committee from each house of the Legislature must hold a public hearing on the compact and forward any respective comments to the Gambling Commission. Within 45 days of receiving the proposed compact, the Gambling Commission must vote on whether to forward the compact to the Governor for signature or to return it to the Director for further negotiations.
- The Lummi Nation’s original Tribal-State Compact for Class III Gaming was signed on September 21, 1995. The Compact was subsequently amended on December 4, 2000, and again on March 30, 2007, to incorporate Appendices X and X2.
- The Lummi Nation’s proposed third amendment modifies Section II.J. of the Compact as follows:
 - “Gaming Facility” means the building or portions thereof in which Class III activities as authorized by this Compact are conducted on Lummi Nation Lands.
- This proposed amendment clarifies the area where Class III gaming activities are conducted on the Lummi Nation Lands as the Tribe also operates a hotel, event center, and spa connected to the casino property. The amendment language is consistent with compacts for several other tribes that have resort or event centers connected to their casinos.

THIRD AMENDMENT TO THE TRIBAL/STATE COMPACT
FOR CLASS III GAMING BETWEEN
LUMMI NATION AND THE STATE OF WASHINGTON

WHEREAS, on September 21, 1995, the State of Washington (“State”) and the Lummi Nation (“Tribe”) executed a Class III Gaming Compact (“Compact”), pursuant to the Indian Gaming Regulatory Act of 1988, P.L. 100-407, codified at 25 U.S.C. Section 2701 *et. seq.* and 18 U.S.C. Sections 1166-1668; and

WHEREAS, on December 4, 2000, and March 30, 2007, the State and the Tribe executed two amendments to the Compact in the form of Appendices X and X2; and

WHEREAS, the Compact executed by the State and the Tribe, as well as any amendments thereto, were approved by the Secretary of the Interior and are in full force and effect; and

WHEREAS, the State and Tribe have now agreed to amend the Tribe’s definition of “gaming facility” to clarify the area where Class III gaming activities are conducted on Lummi Nation Lands,

NOW, THEREFORE, the Compact shall be, and hereby is amended to read and state as follows:

Section II. Definitions

....

J. “Gaming Facility” means the building or portions thereof in which Class III activities as authorized by this Compact are conducted on Lummi Nation Lands.

IN WITNESS WHEREOF, the Lummi Nation and the State of Washington have executed this amendment to the Compact.

THE LUMMI NATION

STATE OF WASHINGTON

BY: _____
TIMOTHY BALLEW, II
Chairman, Lummi Nation

BY: _____
JAY INSLEE
Governor

DATED: _____

DATED: _____