

A JOINT RESOLUTION

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

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

WHEREAS, the Compact Negotiation Act provides for  
legislative involvement in the negotiation process and  
review of the proposed compact through the legislative  
committee on compacts and legislative approval of a proposed  
compact by a majority vote of each house before the proposed  
compact may be executed by the governor; and

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

WHEREAS, the legislative committee on compacts

reviewed the proposed compact and requested the governor to resume negotiations with the tribes on various points, as provided for in the Compact Negotiation Act; and

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

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

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

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

WHEREAS, the proposed compact cannot be executed by the governor with a particular tribe until the attorney general

certifies that the tribe has reached a settlement that is satisfactory to the attorney general in litigation captioned *State of New Mexico v. Jicarilla Apache Tribe, et al.*; and

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the proposed compact, attached hereto, submitted to the committee on compacts on March 2, 2001, negotiated and agreed to by the state and the Pueblos of Acoma, Isleta, Laguna, Sandia, San Felipe, San Juan, Santa Ana, Santa Clara, Taos and Tesuque and the Jicarilla Apache Nation be hereby approved. \_\_\_\_\_

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