

A bill for an act
relating to gambling; prohibiting class III gambling in Minnesota; repealing
Minnesota Statutes 2010, section 3.9221.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **CLASS III GAMBLING PROHIBITED.**

Notwithstanding Minnesota Statutes, section 3.9221, or any other law to the
contrary, class III gambling as defined in section 4 of the Indian Gaming Regulatory
Act, Public Law 100-497, as amended, is unlawful and may not be conducted within the
boundaries of the state of Minnesota. Any compacts negotiated under Minnesota Statutes,
section 3.9221, for class III gambling, are declared null and void. For purposes of this
section, "class III gambling" does not include on-track parimutuel betting on horse racing
authorized by the Minnesota Constitution, article X, section 8, or a lottery operated by the
state, authorized by the Minnesota Constitution, article XIII, section 5.

Sec. 2. **REPEALER.**

Minnesota Statutes 2010, section 3.9221, is repealed.

Sec. 3. **EFFECTIVE DATE.**

This act is effective the day following final enactment.

3.9221 INDIAN TRIBES; COMPACTS TO BE NEGOTIATED.

Subdivision 1. **Definition.** For purposes of this section, "act" means the Indian Gaming Regulatory Act, Public Law 100-497, and future amendments to it.

Subd. 2. **Negotiations authorized.** The governor or the governor's designated representatives shall, pursuant to section 11 of the act, negotiate in good faith a tribal-state compact regulating the conduct of class III gambling, as defined in section 4 of the act, on Indian lands of a tribe requesting negotiations. The agreement may include any provision authorized under section 11(d)(3)(C) of the act. The attorney general is the legal counsel for the governor or the governor's representatives in regard to negotiating a compact under this section. If the governor appoints designees to negotiate under this subdivision, the designees must include at least two members of the senate and two members of the house of representatives, two of whom must be the chairs of the senate and house of representatives standing committees with jurisdiction over gambling policy.

Subd. 3. **Time limits.** (a) In the case of negotiations undertaken pursuant to a request for negotiations received before April 20, 1989, the authority granted under subdivision 2 to negotiate with an Indian tribe expires 180 days after April 20, 1989.

(b) In the case of negotiations undertaken pursuant to a request for negotiations received after April 20, 1989, the authority granted under subdivision 2 to negotiate with an Indian tribe expires 180 days after receipt of the request by the governor.

Subd. 4. **Terms of compact; rights of parties.** A compact agreed to on behalf of the state under this section must contain:

(1) a provision recognizing the right of each party to the agreement, including the legislature by joint resolution, to request that the agreement be renegotiated or replaced by a new compact, and providing the terms under which either party, including the legislature, can request a renegotiation or the negotiation of a new compact; and

(2) a provision that in the event of a request for a renegotiation or a new compact the existing compact will remain in effect until renegotiated or replaced.

Subd. 5. **Report.** The governor, the attorney general, and the governor's designated representatives shall report to the house of representatives and senate committees having jurisdiction over gambling regulation annually. This report shall contain information on compacts negotiated, and an outline of prospective negotiations.