

Senators Birkholz, Brown, Hardiman, Garcia, Van Woerkom, Kuipers and Cropsey offered the following concurrent resolution:

Senate Concurrent Resolution No. 23.

A concurrent resolution memorializing the United States Congress to pass H.R. 2353, the Common Sense Indian Gambling Reform Act.

Whereas, The federal government, in an effort to provide American Indian tribes with an avenue to seek economic advancement, enacted the Indian Gaming Regulatory Act of 1988 (IGRA). This act requires states that do not completely outlaw Class III (casino-style) gaming to negotiate with federally recognized Indian tribes within the state in good faith to allow the tribes to conduct Class III gaming; and

Whereas, Over the last two decades, Michigan has gone from limited gaming options such as horse racing, bingo, and charity games to Las Vegas-style gaming in the four corners of our state. Three large commercial casinos are located in Detroit and eleven Indian tribes are authorized to conduct Class III gaming. A twelfth tribe is seeking to conduct Class III gaming while other tribes look for ways to expand their gaming sites throughout Michigan. Canada and neighboring states provide additional gaming sites for Michiganians. Easily accessible gaming operations impact every community, with crime, family stress, financial problems, and gambling addiction burdening communities and government agencies trying to cope; and

Whereas, Although Michigan voters approved Proposal E in November 1996, which legalized casino gaming in Detroit, the voters signaled their displeasure with the proliferation of gaming in our state in November 2004 by approving Proposal 04-1, a proposal that has amended our state constitution to require voter approval for any additional gaming. Although the voters are clear about wanting to place limits on the further expansion of an already vast array of casino operations, the state is not free to carry out this expression of the will of the people due to the primacy of IGRA in regulating Indian gaming; and

Whereas, United States Representative Mike Rogers has introduced H.R. 2353, the Common Sense Indian Gambling Reform Act. This act would, if enacted, require the approval of the Governor and Legislature of a state before any Indian gaming compact goes into effect. The act would also restrict tribes to only operate casinos in a single, contiguous parcel of Indian land which is located in the primary geographic, social, and historic nexus of the tribe in that state. Other provisions would provide for background investigations; specify certain notifications by tribes that seek to build gaming facilities on land taken into trust; and require that the impact on communities, businesses, local governments, or Indian tribes within a fifty-mile radius of land proposed to be taken into trust be considered. This bill is a reasonable compromise between providing Indian tribes economic benefits through gaming opportunities and accommodating the people of Michigan who have clearly expressed their concerns over unrestricted gaming expansion; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the United States Congress to pass H.R. 2353, the Common Sense Indian Gambling Reform Act; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.