

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2003 SENATE BILL 41**

February 21, 2003 – Offered by Representative MILLER.

1 **AN ACT** *to renumber and amend* 14.035; and *to create* 14.035 (2) and 14.037
2 of the statutes; **relating to:** legislative approval of Indian gaming compacts
3 and proposed Indian gaming establishments located on certain trust lands.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 14.035 of the statutes is renumbered 14.035 (1) and amended to
5 read:

6 14.035 (1) The Subject to sub. (2), the governor may, on behalf of this state,
7 enter into any compact that has been negotiated under 25 USC 2710 (d).

8 **SECTION 2.** 14.035 (2) of the statutes is created to read:

9 14.035 (2) Before entering into any compact negotiated under sub. (1), the
10 governor shall submit the proposed compact to the legislature for approval. The
11 governor may not enter into any compact until the legislature approves the proposed

1 compact by joint resolution. If the legislature does not approve without change the
2 proposed compact, the compact shall be returned to the governor for renegotiation.

3 **SECTION 3.** 14.037 of the statutes is created to read:

4 **14.037 Indian gaming on lands taken into trust after October 17, 1988.**

5 The governor may not concur with a determination of the U.S. secretary of the
6 interior, as described in 25 USC 2719 (b) (1) (A), that a gaming establishment
7 proposed to be located on lands acquired by the U.S. secretary of the interior in trust
8 for the benefit of an Indian tribe after October 17, 1988, would be in the best interest
9 of the Indian tribe and its members and would not be detrimental to the surrounding
10 community unless the legislature approves the proposed gaming establishment by
11 joint resolution.

12 **SECTION 4. Initial applicability.**

13 (1) This act first applies to Indian gaming compacts negotiated by the governor
14 and decisions made by the governor as described under 25 USC 2719 (b) (1) (A)
15 beginning on the effective date of this subsection.

16 (END)