

## **EXECUTIVE ORDER D-66-03**

**WHEREAS**, Government Code section 12012.85 established the Indian Gaming Special Distribution Fund (the "Fund") in the State Treasury for the receipt and deposit of moneys received by the State from Indian tribes pursuant to the terms of the Tribal-State Gaming Compacts (the "Compacts"); and

**WHEREAS**, the Compacts require the 28 California Indian Tribes that operated more than 200 gaming devices on September 1, 1999, to make quarterly contributions to the Fund pursuant to the formula set forth in section 5.0 of the Compacts; and

**WHEREAS**, the first quarterly contributions are to be made at the conclusion of the first calendar quarter following the second anniversary date of the effective date of the Compacts; and

**WHEREAS**, Section 5.3 of the Compacts requires each affected Tribe to submit a certified quarterly report to the State at the time each quarterly contribution is made; and

**WHEREAS**, Section 2.17 of the Compacts defines "State" as the State of California or an authorized official or agency thereof; and

**WHEREAS**, the Compacts do not designate a specific agency of the State to receive the contributions and the certified quarterly reports; and

**WHEREAS**, the California Gambling Control Commission (the "Commission") administers the Indian Gaming Revenue Sharing Trust Fund as trustee and performs other functions under the Compacts; and

**WHEREAS**, the Commission's audit staff has been trained in anticipation of performing the State's functions under the Compacts with respect to administering the review of the quarterly reports; and

**WHEREAS**, the Commission has conducted several hearings and consulted with experts on the interpretation and application of provisions of the Compacts pertaining to contributions to the Fund; and

**WHEREAS**, the Commission is presently serving as the administrator of the Fund;

**NOW, THEREFORE, I GRAY DAVIS**, Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and statutes of the State of California, do hereby issue this order to become effective immediately:

**IT IS ORDERED** that the California Gambling Control Commission is authorized to and shall collect and account for all contributions under Section 5.1 of the Tribal-State Gaming Compacts for deposit in the Indian Gaming Special Distribution Fund;

**IT IS FURTHER ORDERED** that the California Gambling Control Commission is authorized to and shall collect and analyze the certified quarterly reports submitted by the Tribes;

**IT IS FURTHER ORDERED** that the State of California's rights to enforce the provisions of Sections 5.1 (a) and (b) and 5.3 (b), (c), (d), and (e) of the Tribal-State Gaming Compacts are hereby delegated to the California Gambling Control Commission.



**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this the twenty-eighth day of January 2003.

/s/ Gray Davis  
Governor of California