

CALIFORNIA GAMBLING CONTROL COMMISSION

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DATE: May 4, 2006

TO: Gambling Control Commission

FROM: Frank J. Lechner, Acting Deputy Director
Compliance Division

SUBJECT: Revised Revenue Sharing Trust Fund Report of Distribution of Funds to Non-Compact Tribes (Eligible Recipient Indian Tribes) for the Quarter Ended December 31, 2005

ISSUE: *Can the Gambling Control Commission (Commission) make a current quarterly distribution from the Indian Gaming Revenue Sharing Trust Fund (RSTF) to each eligible recipient Indian Tribe for the quarter ended December 31, 2005?*

The Commission, as administrator for the RSTF, is required to make quarterly distributions from the RSTF in accordance with the Tribal-State Gaming Compacts (Compacts) Sections 4.3.2.1 (a) and (b) and Government Code (GC) Section 12012.90 (e)(2).

The RSTF serves as the depository for payments made by Tribes that acquire and maintain gaming device licenses and interest income earned by the RSTF. The process for allocating licenses and the awarding thereof by the administrator is outlined in Section 4.3.2.2. This Section also specifies the amounts that shall be paid for license fees. Additionally, the RSTF receives transfers of funds from the Indian Gaming Special Distribution Fund (SDF) for any shortfalls in payments from the RSTF. These shortfall transfers are made in order to provide each eligible recipient Indian tribe with a total of \$275,000 for each quarter of eligibility up to a maximum of \$1.1 million per fiscal year.

To date, the Commission has approved the distribution of approximately \$154.53 million in license fees, payments, and interest income from the RSTF covering twenty-one fiscal quarters from July 1, 2000 through September 30, 2005. The current distribution being proposed will make a distribution of the actual amount of license fees received and interest income that may have been deposited in the RSTF within the quarter ended December 31, 2005, and the ratable portion of the current fiscal year SDF transfer of quarterly RSTF shortfall amounts.

As shown in Exhibit 1, all eligible tribes will be receiving \$109,940.33 from license fees and interest income with this distribution for the quarter ended December 31, 2005. Total license fees of approximately \$7.59 million and interest earned of \$97,435.45 for the quarterly period ended December 31, 2005, and deposited in October 2005 into the RSTF for the quarter ended December 31, 2005, amounted to approximately \$7.69 million. A portion of the interest earned is allocated to previously approved distributions held in abeyance in the RSTF on behalf of one (1) tribe in the amount of \$274.44. Approved distributions will be held only in the event there is no existing tribal chairperson or representative with whom the BIA conducts government-to-government relations, or there is some other unusual situation which calls into question the Commission's ability to distribute funds to the tribe or otherwise carry out its obligation pursuant to Section 4.3.2.1 (b). The remaining receipts are equally distributed to the seventy (70) tribes listed in Exhibit 1 as eligible Non-Compact recipient tribes (pending receipt of outstanding

eligibility certification forms, if any). Thus, the equal share distribution amount per tribe for this quarter is as noted above.

In addition to the amount presented in Exhibit 1 of this report each of the seventy (70) eligible recipient Indian tribes will be receiving \$165,059.67 in quarterly RSTF shortfall funds for the quarter ended December 31, 2005, that have been transferred into the RSTF from the SDF. As shown in Exhibit 4, the quarterly amount of the shortfall in payments to all eligible recipient Indian tribes for the quarter ended December 31, 2005, totals \$11,554,176.90.

At the end of the calendar quarter for distribution and as of the close of business on December 31, 2005, the amount of outstanding license fee payments due into the RSTF was approximately \$1.92 million. If the total license fee payments due at the end of this quarter had been paid into the RSTF, recipient tribes would have received \$27,434.50 in moneys with this quarter's distribution in lieu of SDF transferred shortfall funds. The Commission makes quarterly distributions on a cash basis based on the amount of available funds in the RSTF for each quarter. Total outstanding and due license fee payments for the quarter ended December 31, 2005, are summarized in Table 1 below:

Table 1		
Indian Gaming Revenue Sharing Trust Fund License Fee Payment Aging Schedule as of December 31, 2005		
Quarter(s) in Arrears	Number of Tribes	Amount of License Fees Due
Less than 1	0	\$0.00
1	7	1,907,850.00
2	4	12,565.49
Totals	11	\$1,920,415.49

Table 1 shows the number of tribes that are in arrears and the amount due in accordance with the terms of the original 1999 Compacts. The amount due includes an estimate of prorated fees for partial quarterly amounts. Compact Section 4.3.2.3 provides that a tribe shall not conduct any gaming activity authorized by the Compact if the tribe is more than two quarterly contributions in arrears in its license fee payments into the RSTF.

Effective September 2, 2004, five (5) Compacts of 1999 were amended related to fees due to the RSTF from the tribes that amended their Compacts. These fees are to maintain the existing gaming device licenses that are held by each of these tribes. Amended Compact Section 4.3.2.2 provides that the tribes shall deposit fees within 30 days of the end of the each calendar quarter.

The Commission, as administrator, sends out quarterly invoices for the payment of license fees near the beginning of each quarter. Additionally, the Commission follows standard collection practices, which includes noticing those of past due amounts, and has initiating procedures if action is needed under the provisions of Compact Section 4.3.2.3 noted above.

The distribution amounts for each tribe that are presented in the attached report are subject to audit and subsequent verification of eligibility by the Commission. In accordance with the Commission's methodology for determining a Non-Compact Tribe, it is also being recommended that this distribution be on a conditional basis pending receipt of certification of the maximum number of gaming devices operated during the quarter by each tribe that is required to submit a completed certification form. Tribes that are required to complete the certification form are those tribes that entered into Compacts with the State of California and

have operated less than three hundred-fifty gaming devices during the entire quarter for this distribution.

Pursuant to Item 0855-101-0366 of the Budget Act of 2005, \$96.5 million was appropriated for distribution to Non-Compact Tribes. Of this amount, \$50.5 million is from a transfer from the SDF to the RSTF pursuant to Item 0855-111-0367 and the balance of \$46.0 million provides for the regular quarterly distributions required by the Compacts. Per Provision 3 of Item 0855-101-0366, the first four items of the following information is requested according to control language as part of any request to augment Item 0855-101-0366. Additionally, GC Section 12012.90(e)(5) requires some of the information below to be provided, as well as the amount necessary to backfill from the SDF to the RSTF any shortfall in order for each eligible recipient tribe to receive a total of \$275,000 per fiscal quarter.

1. The Methodology for Determining a Non-Compact Tribe

Per Section 4.3.2(a)(i) of the Compact, the term “Compact Tribe” and “Non-Compact Tribe” is defined as:

A “Compact Tribe” is a tribe having a compact with the State that authorizes the Gaming Activities authorized by this Compact. Federally-recognized tribes that are operating fewer than 350 Gaming Devices are “Non-Compact Tribes.” Non-Compact Tribes shall be deemed third party beneficiaries of this and other compacts identical in all material respects. A Compact Tribe that becomes a Non-Compact Tribe may not thereafter return to the status of a Compact Tribe for a period of two years becoming a Non-Compact Tribe (sic).

For this distribution from the RSTF, the Commission used the following procedures as the methodology for determining if a tribe is a Non-Compact Tribe:

- A. Identify all tribes in the State of California that are Federally-recognized based on information obtained from the U. S. Department of Interior, Bureau of Indian Affairs, and a legal opinion received from the State Attorney General's Office.
- B. Request that each Non-Compact Tribe that entered into Compacts with the State that is to receive a distribution certify the maximum number of gaming devices operated during the quarter by completing and filing a Tribal-State Compact Gaming Device Certification Form (CGCC-C2005.02). Receive this form from each eligible tribe in accordance with the streamlined verification procedure implemented by the Commission. This form was mailed to Tribes for completion and filing and is also available on the Commission's website at www.cgcc.ca.gov.
- C. Classify all tribes identified in step A based on the information obtained in step B as either: 1) Compact Tribes operating 350 or more gaming devices, 2) Non-Compact Tribes as defined by the Compact, 3) non-compact gaming tribes, or a combination of classification 1) and 3).
- D. Classify all Non-Compact Tribes identified in part 2) of step C as eligible Non-Compact non-gaming tribes and Non-Compact gaming tribes that have submitted the requested certification form to the Commission if required.
- E. Prepare a list of Non-Compact Tribes based on the most recent information reported to the Commission.

2. A list of the Non-Compact Tribes Identified Based on the Commission's Methodology

A list of all Non-Compact Tribes as identified by the methodology identified in item 1 above is attached as Exhibit 1.

3. A Fund Condition Report Including the Amount of Revenue Received From Each Compact Tribe

A fund condition statement for the RSTF through December 31, 2005, for the fiscal year 2005-06 is attached as Exhibit 2. A listing of the amount of revenue from each Compact Tribe received by the Commission is attached as Exhibit 3.

4. The Amount of Funds to be Distributed to Each Non-Compact Tribe

The amount of funds to be distributed to each Non-Compact Tribe is listed in Exhibit 1 that is attached. The recommended distribution to each tribe listed in Exhibit 1 is subject to verification of eligibility and receipt of a Tribal-State Compact Gaming Device Certification Form (CGCC-C2005.02), if required.

5. The Amount of Shortfall in RSTF Quarterly Receipts Backfilled from the SDF to the RSTF

The amount of funds to be distributed to ensure that each eligible recipient Indian tribe receives \$275,000 for the fiscal quarter is listed in Exhibit 4 that is attached.

RECOMMENDATION: *It is recommended that:*

1) the Commission approve distribution of the current full quarterly amount of approximately \$7.69 million of all payments made by tribes and any interest income received by the RSTF during the most recent quarter ended December 31, 2005, to the listed tribes that are determined to be eligible Non-Compact Tribes in accordance with the Commission's identified methodology for determining a Non-Compact Tribe as shown in Exhibit 1 attached to this report, and any interest accrued for previously approved distributions held in abeyance in the RSTF but not immediately disbursed,

2) the Commission approve the amounts of the shortfall shown in Exhibit 4 determined pursuant to the stipulations prescribed in Government Code Section 12012.90,

3) approval of distributions shall be made on a conditional basis subject to receipt of any required eligibility certification of the maximum number of gaming devices operated during the quarter by each tribe that is required to submit a completed certification form, and

4) the Commission voluntarily provide a copy of this report to the Legislature for informational purposes even though no augmentation is being requested with this distribution and no reporting of this information to the Legislature is presently required.

Exhibit 1**Non-Compact Tribes Eligible to Receive a Distribution from the RSTF (Based on the Commission's Methodology) and the Amount of Funds Recommended for Distribution**

Non-Compact Indian Tribe		Amount of Funds Recommended to be Distributed
1	Alturas Indian Rancheria	\$109,940.33
2	Bear River Band of the Rohnerville Rancheria	109,940.33
3	Benton Paiute Reservation	109,940.33
4	Big Lagoon Rancheria	109,940.33
5	Big Pine Reservation	109,940.33
6	Big Sandy Rancheria	109,940.33
7	Bridgeport Paiute Indian Colony	109,940.33
8	Buena Vista Rancheria	109,940.33
9	Cahto Indian Tribe of the Laytonville Rancheria	109,940.33
10	Cahuilla Band of Mission Indians	109,940.33
11	California Valley Miwok Tribe	109,940.33
12	Cedarville Rancheria	109,940.33
13	Chemehuevi Indian Tribe	109,940.33
14	Cher-Ae Heights Indian Community	109,940.33
15	Chicken Ranch Rancheria	109,940.33
16	Cloverdale Rancheria	109,940.33
17	Cold Springs Rancheria	109,940.33
18	Colorado River Indian Tribes	109,940.33
19	Cortina Rancheria	109,940.33
20	Death Valley Timba-Sha Shoshone Tribe	109,940.33
21	Elem Indian Colony	109,940.33
22	Elk Valley Rancheria	109,940.33
23	Enterprise Rancheria	109,940.33
24	Ewiiapaayp Band of Kumeyaay Indians	109,940.33
25	Federated Indians of Graton Rancheria	109,940.33
26	Fort Bidwell Indian Community	109,940.33
27	Fort Independence Reservation	109,940.33
28	Fort Mojave Indian Tribe	109,940.33
29	Greenville Rancheria	109,940.33
30	Grindstone Rancheria	109,940.33
31	Guidiville Rancheria	109,940.33
32	Habematolel Pomo of Upper Lake	109,940.33
33	Hoopa Valley Tribe	109,940.33
34	Inaja-Cosmit Mission Indians	109,940.33
35	Ione Band of Miwok Indians	109,940.33
36	Jamul Indian Village	109,940.33
37	Karuk Tribe of California	109,940.33

Exhibit 1**Non-Compact Tribes Eligible to Receive a Distribution from the RSTF (Based on the Commission's Methodology) and the Amount of Funds Recommended for Distribution**

Non-Compact Indian Tribe		Amount of Funds Recommended to be Distributed
38	La Jolla Band of Mission Indians	109,940.33
39	La Posta Band of Mission Indians	109,940.33
40	Lone Pine Reservation	109,940.33
41	Los Coyotes Band of Cahuilla Indians	109,940.33
42	Lower Lake Rancheria	109,940.33
43	Lytton Rancheria	109,940.33
44	Manchester Point Arena Rancheria	109,940.33
45	Manzanita Mission Indians	109,940.33
46	Mechoopda Indian Tribe	109,940.33
47	Mesa Grande Mission Indians	109,940.33
48	Northfork Rancheria	109,940.33
49	Paiute Bishop Community	109,940.33
50	Pinoleville Rancheria	109,940.33
51	Pit River Tribe	109,940.33
52	Potter Valley Rancheria	109,940.33
53	Quartz Valley Indian Community	109,940.33
54	Quechan Tribe of Fort Yuma	109,940.33
55	Ramona Mission Indians	109,940.33
56	Redwood Valley Rancheria	109,940.33
57	Resighini Rancheria	109,940.33
58	Round Valley Indian Tribe	109,940.33
59	Santa Rosa Band of Cahuilla Mission Indians	109,940.33
60	Santa Ysabel Mission Indians	109,940.33
61	Scotts Valley Band of Pomo Indians	109,940.33
62	Sherwood Valley Pomo Indians	109,940.33
63	Shingle Springs Rancheria	109,940.33
64	Smith River Rancheria	109,940.33
65	Stewarts Point Rancheria	109,940.33
66	Susanville Indian Rancheria	109,940.33
67	Table Bluff Reservation	109,940.33
68	Torrez-Martinez Mission Indians	109,940.33
69	Washoe Tribe of Nevada & California	109,940.33
70	Yurok Tribe of the Yurok Reservation	109,940.33
	Total	\$7,695,823.10¹

Footnotes:

1. The total amount of distribution to each tribe is subject to audit and verification by the Commission. Future distributions may be adjusted for any overpayments or underpayments that may have been made. If a tribe is subsequently determined to be a "Compact Tribe" by definition of the Compact, and is therefore not eligible for future distributions, any overpayments that may be made are subject to refund by a tribe(s) to the Commission. The above distributions are being recommended for distribution on a conditional basis and are subject to verification of eligibility. Distributions will only be made after receipt of a Tribal-State Compact Gaming Device Certification Form (CGCC-C2005.02) that indicates eligibility in accordance with the terms of the Compact.

EXHIBIT 2

CALIFORNIA GAMBLING CONTROL COMMISSION
 0366 - INDIAN GAMING REVENUE SHARING TRUST FUND
 FUND CONDITION STATEMENT
 For the six months ended December 31, 2005
 Cash Basis

BEGINNING BALANCE	\$	6,959,717.06
REVENUES AND TRANSFERS		
Revenues:		
150300 Income from surplus money investments		130,835.61
216900 License fees held in trust		15,714,149.17
Transfer from the SDF to the RSTF for shortfall per Senate Bill No. 77 (Chapter 38, Statutes of 2005)		48,483,757.00
Transfer from the SDF to the RSTF for shortfall per Assembly Bill No. 1750 (Chapter 720, Statutes of 2005)		50,000,000.00
		114,328,741.78
Totals, Revenues	\$	114,328,741.78
		121,288,458.84
Totals, Resources	\$	121,288,458.84
EXPENDITURES		
Disbursements:		
Distribution	\$	14,833,604.14
Fiscal Year 2004-2005 shortfall distribution per Senate Bill No. 77 (Chapter 38, Statutes of 2005) and Government Code Section 12012.90		48,483,757.00
		63,317,361.14
Totals, Expenditures	\$	63,317,361.14
FUND BALANCE, prior to distribution	\$	57,971,097.70
Disbursements, pending distribution		19,250,000.00
Interest due to tribes ¹		274.44
Assembly Bill No. 673 (Chapter 210, Statutes of 2003) and Government Code Section 12012.90 reserve pending audit resolution		275,000.00
		38,445,823.26
FUND BALANCE, after distribution	\$	38,445,823.26

Footnotes:

1. Accrued interest on previously held distributions in the amount of \$274.44 for California Valley Miwok Tribe pending distribution.

Exhibit 3**Amount of Revenue from Each Compact Tribe Received by the Commission Through December 31, 2005 for the Fiscal Year Ending June 30, 2006**

	Compact Tribe	Revenue Received Fiscal Year to Date	Revenue Received Inception to Date
1	Agua Caliente Band of Cahuilla Indians	\$274,575.00	\$4,010,431.25
2	Alturas Indian Rancheria	187,500.00	375,000.00
3	Augustine Band of Mission Indians	93,750.00	531,250.00
4	Barona Band of Mission Indians	368,175.00	3,958,637.77
5	Bear River Band of the Rohnerville Rancheria	0.00	0.00
6	Berry Creek Rancheria	0.00	617,500.00
7	Big Sandy Rancheria	0.00	0.00 ²
8	Big Valley Rancheria	0.00	500,000.00
9	Blue Lake Rancheria	0.00	437,500.00
10	Buena Vista Rancheria	0.00	0.00 ²
11	Cabazon Band of Mission Indians	633,375.00	4,225,442.05
12	Cahto Indian Tribe of the Laytonville Rancheria	0.00	0.00
13	Cahuilla Band of Mission Indians	0.00	125,000.00
14	Campo Band of Diegueno Mission Indians	0.00	500,000.00
15	Chemehuevi Indian Tribe	0.00	0.00 ²
16	Cher-Ae Heights Indian Community	0.00	0.00
17	Chicken Ranch Rancheria	0.00	0.00
18	Colusa Rancheria	0.00	403,750.00
19	Dry Creek Rancheria	1,001,250.00	7,510,746.58
20	Elem Indian Colony	0.00	0.00
21	Elk Valley Rancheria	0.00	62,500.00
22	Ewiiapaayp Band of Kumeyaay Indians	0.00	2,437,433.22
23	Hoopa Valley Tribe	0.00	0.00
24	Hopland Band of Pomo Indians	173,507.67	2,238,466.24
25	Jackson Rancheria	243,562.50	3,270,439.72
26	Jamul Indian Village	0.00	0.00
27	La Jolla Band of Luiseno Indians	0.00	0.00
28	Manchester Point Arena Rancheria	0.00	0.00
29	Manzanita Band of Mission Indians	0.00	0.00
30	Middletown Rancheria	135,000.00	322,500.00
31	Mooretown Rancheria	67,500.00	759,513.70
32	Morongo Band of Mission Indians	0.00	497,300.00
33	Paiute Bishop Tribe	0.00	0.00
34	Pala Band of Mission Indians	1,000,000.00	15,371,569.58
35	Paskenta Band of Nomlaki Indians	0.00	528,750.00
36	Pauma/Yuima Band of Mission Indians	47,604.00	1,128,025.61
37	Pechanga Band of Mission Indians	142,650.00	1,605,105.62
38	Picayune Rancheria	1,102,500.00	10,400,219.18

Exhibit 3**Amount of Revenue from Each Compact Tribe Received by the Commission Through December 31, 2005 for the Fiscal Year Ending June 30, 2006**

	Compact Tribe	Revenue Received Fiscal Year to Date	Revenue Received Inception to Date
39	Pit River Tribe	0.00	0.00
40	Quechan Indian Nation	0.00	0.00
41	Redding Rancheria	0.00	687,500.00
42	Resighini Rancheria	0.00	0.00
43	Rincon Band of Mission Indians	667,500.00	7,510,746.58
44	Robinson Rancheria	0.00	275,000.00
45	Rumsey Rancheria	1,000,000.00	6,134,900.62
46	San Manuel Band of Mission Indians	449,100.00	5,053,297.81
47	San Pasqual Band of Diegueno Indians	550,200.00	6,581,381.91
48	Santa Rosa Indian Community	1,272,150.00	13,678,226.51
49	Santa Ynez Band of Chumash Indians	657,750.00	7,401,039.04
50	Sherwood Valley Rancheria	0.00	0.00
51	Shingle Springs Rancheria	0.00	1,238,750.00
52	Smith River Rancheria	0.00	0.00
53	Soboba Band of Mission Indians	432,525.00	4,074,993.09
54	Susanville Indian Rancheria	0.00	0.00
55	Sycuan Band of Mission Indians	1,169,925.00	13,164,060.21
56	Table Mountain Rancheria	584,625.00	6,578,232.53
57	Tule River Reservation	770,175.00	3,153,849.04
58	Tuolumne Rancheria	0.00	828,750.00
59	Twenty-Nine Palms Band of Mission Indians	689,250.00	7,755,478.77
60	United Auburn Indian Community	1,000,000.00	7,946,560.76
61	Viejas Band of Mission Indians	1,000,000.00	4,692,366.54
	Totals	15,714,149.17	158,572,213.93
	Interest	130,835.61	3,743,297.80
	Grand Totals	\$15,844,984.78¹	\$162,315,511.73

Footnotes:

1. See Exhibit 2 for a copy of a fund condition statement for the Fund for the quarter ended December 31, 2005, which is the most recent quarter-end for which a distribution has been recommended for payment.
2. Prepayment receipts were returned to payor tribes for the return of unused putative gaming device licenses issued by Sides Accountancy Corporation. Licenses in equal number were issued by the Commission on September 5, 2002 resulting in \$2,137,500 in prepayment fees to the Fund.

Exhibit 4**Quarterly Amount of Shortfall in Payments that Occurred in the RSTF for the Quarter Ended December 31, 2005**

	Eligible Recipient Indian Tribe	Total Potential Quarterly Distribution	Total Recommended Quarterly Distribution	Quarterly Shortfall
1	Alturas Indian Rancheria	\$275,000.00	\$109,940.33	\$165,059.67
2	Bear River Band of the Rohnerville Rancheria	275,000.00	109,940.33	165,059.67
3	Benton Paiute Reservation	275,000.00	109,940.33	165,059.67
4	Big Lagoon Rancheria	275,000.00	109,940.33	165,059.67
5	Big Pine Reservation	275,000.00	109,940.33	165,059.67
6	Big Sandy Rancheria	275,000.00	109,940.33	165,059.67
7	Bridgeport Paiute Indian Colony	275,000.00	109,940.33	165,059.67
8	Buena Vista Rancheria	275,000.00	109,940.33	165,059.67
9	Cahto Indian Tribe of Laytonville Rancheria	275,000.00	109,940.33	165,059.67
10	Cahuilla Band of Mission Indians	275,000.00	109,940.33	165,059.67
11	California Valley Miwok Tribe	275,000.00	109,940.33	165,059.67
12	Cedarville Rancheria	275,000.00	109,940.33	165,059.67
13	Chemehuevi Indian Tribe	275,000.00	109,940.33	165,059.67
14	Cher-Ae Heights Indian Community	275,000.00	109,940.33	165,059.67
15	Chicken Ranch Rancheria	275,000.00	109,940.33	165,059.67
16	Cloverdale Rancheria	275,000.00	109,940.33	165,059.67
17	Cold Springs Rancheria	275,000.00	109,940.33	165,059.67
18	Colorado River Indian Tribes	275,000.00	109,940.33	165,059.67
19	Cortina Rancheria	275,000.00	109,940.33	165,059.67
20	Death Valley Timbi-Sha Shoshone Tribe	275,000.00	109,940.33	165,059.67
21	Elem Indian Colony	275,000.00	109,940.33	165,059.67
22	Elk Valley Rancheria	275,000.00	109,940.33	165,059.67
23	Enterprise Rancheria	275,000.00	109,940.33	165,059.67
24	Ewiiapaayp Band of Kumeyaay Indians	275,000.00	109,940.33	165,059.67
25	Federated Indians of Graton Rancheria	275,000.00	109,940.33	165,059.67
26	Fort Bidwell Indian Community	275,000.00	109,940.33	165,059.67
27	Fort Independence Reservation	275,000.00	109,940.33	165,059.67
28	Fort Mojave Indian Tribe	275,000.00	109,940.33	165,059.67
29	Greenville Rancheria	275,000.00	109,940.33	165,059.67
30	Grindstone Rancheria	275,000.00	109,940.33	165,059.67
31	Guidiville Rancheria	275,000.00	109,940.33	165,059.67
32	Habematolel Pomo of Upper Lake	275,000.00	109,940.33	165,059.67
33	Hoopa Valley Tribe	275,000.00	109,940.33	165,059.67
34	Inaja-Cosmit Mission Indians	275,000.00	109,940.33	165,059.67
35	Ione Band of Miwok Indians	275,000.00	109,940.33	165,059.67

Exhibit 4**Quarterly Amount of Shortfall in Payments that Occurred in the RSTF for the Quarter Ended December 31, 2005**

	Eligible Recipient Indian Tribe	Total Potential Quarterly Distribution	Total Recommended Quarterly Distribution	Quarterly Shortfall
36	Jamul Indian Village	275,000.00	109,940.33	165,059.67
37	Karuk Tribe of California	275,000.00	109,940.33	165,059.67
38	La Jolla Band of Mission Indians	275,000.00	109,940.33	165,059.67
39	La Posta Band of Mission Indians	275,000.00	109,940.33	165,059.67
40	Lone Pine Reservation	275,000.00	109,940.33	165,059.67
41	Los Coyotes Band of Cahuilla Indians	275,000.00	109,940.33	165,059.67
42	Lower Lake Rancheria	275,000.00	109,940.33	165,059.67
43	Lytton Rancheria	275,000.00	109,940.33	165,059.67
44	Manchester Point Arena Rancheria	275,000.00	109,940.33	165,059.67
45	Manzanita Mission Indians	275,000.00	109,940.33	165,059.67
46	Mechoopda Indian Tribe	275,000.00	109,940.33	165,059.67
47	Mesa Grande Mission Indians	275,000.00	109,940.33	165,059.67
48	Northfork Rancheria	275,000.00	109,940.33	165,059.67
49	Paiute Bishop Community	275,000.00	109,940.33	165,059.67
50	Pinoleville Reservation	275,000.00	109,940.33	165,059.67
51	Pit River Tribe	275,000.00	109,940.33	165,059.67
52	Potter Valley Rancheria	275,000.00	109,940.33	165,059.67
53	Quartz Valley Indian Community	275,000.00	109,940.33	165,059.67
54	Quechan Tribe of Fort Yuma	275,000.00	109,940.33	165,059.67
55	Ramona Mission Indians	275,000.00	109,940.33	165,059.67
56	Redwood Valley Rancheria	275,000.00	109,940.33	165,059.67
57	Resighini Rancheria	275,000.00	109,940.33	165,059.67
58	Round Valley Indian Tribe	275,000.00	109,940.33	165,059.67
59	Santa Rosa Band of Cahuilla Mission Indians	275,000.00	109,940.33	165,059.67
60	Santa Ysabel Mission Indians	275,000.00	109,940.33	165,059.67
61	Scotts Valley Band of Pomo Indians	275,000.00	109,940.33	165,059.67
62	Sherwood Valley Pomo Indians	275,000.00	109,940.33	165,059.67
63	Shingle Springs Rancheria	275,000.00	109,940.33	165,059.67
64	Smith River Rancheria	275,000.00	109,940.33	165,059.67
65	Stewarts Point Rancheria	275,000.00	109,940.33	165,059.67
66	Susanville Indian Rancheria	275,000.00	109,940.33	165,059.67
67	Table Bluff Reservation	275,000.00	109,940.33	165,059.67
68	Torrez-Martinez Mission Indians	275,000.00	109,940.33	165,059.67
69	Washoe Tribe of Nevada & California	275,000.00	109,940.33	165,059.67
70	Yurok Tribe of the Yurok Reservation	275,000.00	109,940.33	165,059.67

Exhibit 4**Quarterly Amount of Shortfall in Payments that Occurred in the RSTF for the Quarter Ended December 31, 2005**

	Eligible Recipient Indian Tribe	Total Potential Quarterly Distribution	Total Recommended Quarterly Distribution	Quarterly Shortfall
	Total	\$19,250,000.00	\$7,695,823.10	\$11,554,176.90

CALIFORNIA GAMBLING CONTROL COMMISSION

Physical Address: 2399 Gateway Oaks Drive, Suite 100 • Sacramento, CA 95833-4231

Mailing Address: P.O. Box 526013 • Sacramento, CA 95852-6013

Phone: (916) 263-0700 • FAX: (916) 263-0499



DATE: May 4, 2006

TO: Gambling Control Commission

FROM: Frank J. Lechner, Acting Deputy Director
Compliance Division

SUBJECT: Revenue Sharing Trust Fund Report of Distribution of Funds to Non-Compact Tribes (Eligible Recipient Indian Tribes) for the Quarter Ended March 31, 2006

All eligible tribes will receive a total of \$275,000, which consists of \$115,260.55 from license fees and interest income as shown in Exhibit 1 and \$159,739.45 from shortfall funds that have been transferred into RSTF from SDF as shown in Exhibit 4. The quarterly amount of the shortfall in payments to all eligible recipient Indian tribes for the quarter totals \$11,341,500.95.

Total license fees of approximately \$7.89 million and interest earned of \$288,222.11 for the quarterly period ended March 31, 2006, and deposited in January 2006 into the RSTF for the quarter amounted to approximately \$8.18 million. A portion of the interest earned is allocated to previously approved distributions held in abeyance in the RSTF on behalf of one (1) tribe in the amount of \$2,426.74. The remaining receipts are equally distributed to the seventy-one (71) tribes listed in Exhibit 1 as eligible Non-Compact recipient tribes (pending receipt of outstanding eligibility certification forms, if any).

At the end of the calendar quarter for distribution, the amount of outstanding license fee payments due into the RSTF from ten tribes was approximately \$1.64 million. If the total license fee payments due at the end of this quarter had been paid into the RSTF, recipient tribes would have received \$23,176.09 in moneys with this quarter's distribution in lieu of SDF transferred shortfall funds. A listing of the amount of revenue from each Compact Tribe received by the Commission is attached as Exhibit 3.

A fund condition statement for the RSTF through March 31, 2006, for the fiscal year 2005-06 is attached as Exhibit 2.

Exhibit 1**Non-Compact Tribes Eligible to Receive a Distribution from the RSTF (Based on the Commission's Methodology) and the Amount of Funds Recommended for Distribution**

Non-Compact Indian Tribe		Amount of Funds Recommended to be Distributed
1	Alturas Indian Rancheria	\$115,260.55
2	Bear River Band of the Rohnerville Rancheria	115,260.55
3	Benton Paiute Reservation	115,260.55
4	Big Lagoon Rancheria	115,260.55
5	Big Pine Reservation	115,260.55
6	Big Sandy Rancheria	115,260.55
7	Bridgeport Paiute Indian Colony	115,260.55
8	Buena Vista Rancheria	115,260.55
9	Cahto Indian Tribe of the Laytonville Rancheria	115,260.55
10	Cahuilla Band of Mission Indians	115,260.55
11	California Valley Miwok Tribe	115,260.55
12	Cedarville Rancheria	115,260.55
13	Chemehuevi Indian Tribe	115,260.55
14	Cher-Ae Heights Indian Community	115,260.55
15	Chicken Ranch Rancheria	115,260.55
16	Cloverdale Rancheria	115,260.55
17	Cold Springs Rancheria	115,260.55
18	Colorado River Indian Tribes	115,260.55
19	Cortina Rancheria	115,260.55
20	Coyote Valley Band of Pomo Indians	115,260.55
21	Death Valley Timba-Sha Shoshone Tribe	115,260.55
22	Elem Indian Colony	115,260.55
23	Elk Valley Rancheria	115,260.55
24	Enterprise Rancheria	115,260.55
25	Ewiiapaayp Band of Kumeyaay Indians	115,260.55
26	Federated Indians of Graton Rancheria	115,260.55
27	Fort Bidwell Indian Community	115,260.55
28	Fort Independence Reservation	115,260.55
29	Fort Mojave Indian Tribe	115,260.55
30	Greenville Rancheria	115,260.55
31	Grindstone Rancheria	115,260.55
32	Guidiville Rancheria	115,260.55
33	Habematolel Pomo of Upper Lake	115,260.55
34	Hoopa Valley Tribe	115,260.55
35	Inaja-Cosmit Mission Indians	115,260.55
36	Ione Band of Miwok Indians	115,260.55
37	Jamul Indian Village	115,260.55

Exhibit 1**Non-Compact Tribes Eligible to Receive a Distribution from the RSTF (Based on the Commission's Methodology) and the Amount of Funds Recommended for Distribution**

Non-Compact Indian Tribe		Amount of Funds Recommended to be Distributed
38	Karuk Tribe of California	115,260.55
39	La Jolla Band of Mission Indians	115,260.55
40	La Posta Band of Mission Indians	115,260.55
41	Lone Pine Reservation	115,260.55
42	Los Coyotes Band of Cahuilla Indians	115,260.55
43	Lower Lake Rancheria	115,260.55
44	Lytton Rancheria	115,260.55
45	Manchester Point Arena Rancheria	115,260.55
46	Manzanita Mission Indians	115,260.55
47	Mechoopda Indian Tribe	115,260.55
48	Mesa Grande Mission Indians	115,260.55
49	Northfork Rancheria	115,260.55
50	Paiute Bishop Community	115,260.55
51	Pinoleville Rancheria	115,260.55
52	Pit River Tribe	115,260.55
53	Potter Valley Rancheria	115,260.55
54	Quartz Valley Indian Community	115,260.55
55	Quechan Tribe of Fort Yuma	115,260.55
56	Ramona Mission Indians	115,260.55
57	Redwood Valley Rancheria	115,260.55
58	Resighini Rancheria	115,260.55
59	Round Valley Indian Tribe	115,260.55
60	Santa Rosa Band of Cahuilla Mission Indians	115,260.55
61	Santa Ysabel Mission Indians	115,260.55
62	Scotts Valley Band of Pomo Indians	115,260.55
63	Sherwood Valley Pomo Indians	115,260.55
64	Shingle Springs Rancheria	115,260.55
65	Smith River Rancheria	115,260.55
66	Stewarts Point Rancheria	115,260.55
67	Susanville Indian Rancheria	115,260.55
68	Table Bluff Reservation	115,260.55
69	Torrez-Martinez Mission Indians	115,260.55
70	Washoe Tribe of Nevada & California	115,260.55
71	Yurok Tribe of the Yurok Reservation	115,260.55
	Total	\$8,183,499.05

EXHIBIT 2

CALIFORNIA GAMBLING CONTROL COMMISSION
 0366 - INDIAN GAMING REVENUE SHARING TRUST FUND
 FUND CONDITION STATEMENT
 For the nine months ended March 31, 2006
 Cash Basis

BEGINNING BALANCE	\$	6,959,717.06
REVENUES AND TRANSFERS		
Revenues:		
150300 Income from surplus money investments		419,057.72
216900 License fees held in trust		23,611,853.17
Transfer from the SDF to the RSTF for shortfall per Senate Bill No. 77 (Chapter 38, Statutes of 2005)		48,483,757.00
Transfer from the SDF to the RSTF for shortfall per Assembly Bill No. 1750 (Chapter 720, Statutes of 2005)		50,000,000.00

Totals, Revenues	\$	122,514,667.89
Totals, Resources	\$	129,474,384.95
EXPENDITURES		
Disbursements:		
Distribution	\$	34,083,878.58
Fiscal Year 2004-2005 shortfall distribution per Senate Bill No. 77 (Chapter 38, Statutes of 2005) and Government Code Section 12012.90		48,483,757.00

Totals, Expenditures	\$	82,567,635.58
FUND BALANCE, prior to distribution	\$	46,906,749.37
Disbursements, pending distribution		19,525,000.00
Interest due to tribes ¹		2,426.74
Assembly Bill No. 673 (Chapter 210, Statutes of 2003) and Government Code Section 12012.90 reserve pending audit resolution		275,000.00

FUND BALANCE, after distribution	\$	27,104,322.63

Footnotes:

1. Accrued interest on previously held distributions in the amount of \$2,426.74 for California Valley Miwok Tribe pending distribution.

Exhibit 3**Amount of Revenue from Each Compact Tribe Received by the Commission Through March 31, 2006 for the Fiscal Year Ending June 30, 2006**

	Compact Tribe	Revenue Received Fiscal Year to Date	Revenue Received Inception to Date
1	Agua Caliente Band of Cahuilla Indians	\$411,862.50	\$4,147,718.75
2	Alturas Indian Rancheria	187,500.00	375,000.00
3	Augustine Band of Mission Indians	93,750.00	531,250.00
4	Barona Band of Mission Indians	552,262.50	4,142,725.27
5	Bear River Band of the Rohnerville Rancheria	0.00	0.00
6	Berry Creek Rancheria	0.00	617,500.00
7	Big Sandy Rancheria	0.00	0.00 ²
8	Big Valley Rancheria	0.00	500,000.00
9	Blue Lake Rancheria	0.00	437,500.00
10	Buena Vista Rancheria	0.00	0.00 ²
11	Cabazon Band of Mission Indians	1,266,750.00	4,858,817.05
12	Cahto Indian Tribe of the Laytonville Rancheria	0.00	0.00
13	Cahuilla Band of Mission Indians	0.00	125,000.00
14	Campo Band of Diegueno Mission Indians	0.00	500,000.00
15	Chemehuevi Indian Tribe	0.00	0.00 ²
16	Cher-Ae Heights Indian Community	0.00	0.00
17	Chicken Ranch Rancheria	0.00	0.00
18	Colusa Rancheria	0.00	403,750.00
19	Dry Creek Rancheria	1,335,000.00	7,844,496.58
20	Elem Indian Colony	0.00	0.00
21	Elk Valley Rancheria	0.00	62,500.00
22	Ewiiapaayp Band of Kumeyaay Indians	0.00	2,437,433.22
23	Hoopla Valley Tribe	0.00	0.00
24	Hopland Band of Pomo Indians	173,507.67	2,238,466.24
25	Jackson Rancheria	487,125.00	3,514,002.22
26	Jamul Indian Village	0.00	0.00
27	La Jolla Band of Luiseno Indians	0.00	0.00
28	Manchester Point Arena Rancheria	0.00	0.00
29	Manzanita Band of Mission Indians	0.00	0.00
30	Middletown Rancheria	135,000.00	322,500.00
31	Mooretown Rancheria	101,250.00	793,263.70
32	Morongo Band of Mission Indians	0.00	497,300.00
33	Paiute Bishop Tribe	0.00	0.00
34	Pala Band of Mission Indians	1,500,000.00	15,871,569.58
35	Paskenta Band of Nomlaki Indians	0.00	528,750.00
36	Pauma/Yuima Band of Mission Indians	95,208.00	1,175,629.61
37	Pechanga Band of Mission Indians	213,975.00	1,676,430.62

Exhibit 3**Amount of Revenue from Each Compact Tribe Received by the Commission Through March 31, 2006 for the Fiscal Year Ending June 30, 2006**

	Compact Tribe	Revenue Received Fiscal Year to Date	Revenue Received Inception to Date
38	Picayune Rancheria	1,102,500.00	10,400,219.18
39	Pit River Tribe	0.00	0.00
40	Quechan Indian Nation	0.00	0.00
41	Redding Rancheria	0.00	687,500.00
42	Resighini Rancheria	0.00	0.00
43	Rincon Band of Mission Indians	1,112,500.00	7,955,746.58
44	Robinson Rancheria	0.00	275,000.00
45	Rumsey Rancheria	1,500,000.00	6,634,900.62
46	San Manuel Band of Mission Indians	673,650.00	5,277,847.81
47	San Pasqual Band of Diegueno Indians	870,300.00	6,901,481.91
48	Santa Rosa Indian Community	2,544,300.00	14,950,376.51
49	Santa Ynez Band of Chumash Indians	657,750.00	7,401,039.04
50	Sherwood Valley Rancheria	0.00	0.00
51	Shingle Springs Rancheria	0.00	1,238,750.00
52	Smith River Rancheria	0.00	0.00
53	Soboba Band of Mission Indians	648,787.50	4,291,255.59
54	Susanville Indian Rancheria	0.00	0.00
55	Sycuan Band of Mission Indians	1,754,887.50	13,749,022.71
56	Table Mountain Rancheria	876,937.50	6,870,545.03
57	Tule River Reservation	1,283,175.00	3,666,849.04
58	Tuolumne Rancheria	0.00	828,750.00
59	Twenty-Nine Palms Band of Mission Indians	1,033,875.00	8,100,103.77
60	United Auburn Indian Community	1,500,000.00	8,446,560.76
61	Viejas Band of Mission Indians	1,500,000.00	5,192,366.54
	Totals	23,611,853.17	166,469,917.93
	Interest	419,057.72	4,031,519.91
	Grand Totals	\$24,030,910.89¹	\$170,501,437.84

Footnotes:

1. See Exhibit 2 for a copy of a fund condition statement for the Fund for the quarter ended March 31, 2006, which is the most recent quarter-end for which a distribution has been recommended for payment.
2. Prepayment receipts were returned to payor tribes for the return of unused putative gaming device licenses issued by Sides Accountancy Corporation. Licenses in equal number were issued by the Commission on September 5, 2002 resulting in \$2,137,500 in prepayment fees to the Fund.

Exhibit 4**Quarterly Amount of Shortfall in Payments that Occurred in the RSTF for the Quarter Ended March 31, 2006**

	Eligible Recipient Indian Tribe	Total Potential Quarterly Distribution	Total Recommended Quarterly Distribution	Quarterly Shortfall
1	Alturas Indian Rancheria	\$275,000.00	\$115,260.55	\$159,739.45
2	Bear River Band of the Rohnerville Rancheria	275,000.00	115,260.55	159,739.45
3	Benton Paiute Reservation	275,000.00	115,260.55	159,739.45
4	Big Lagoon Rancheria	275,000.00	115,260.55	159,739.45
5	Big Pine Reservation	275,000.00	115,260.55	159,739.45
6	Big Sandy Rancheria	275,000.00	115,260.55	159,739.45
7	Bridgeport Paiute Indian Colony	275,000.00	115,260.55	159,739.45
8	Buena Vista Rancheria	275,000.00	115,260.55	159,739.45
9	Cahto Indian Tribe of Laytonville Rancheria	275,000.00	115,260.55	159,739.45
10	Cahuilla Band of Mission Indians	275,000.00	115,260.55	159,739.45
11	California Valley Miwok Tribe	275,000.00	115,260.55	159,739.45
12	Cedarville Rancheria	275,000.00	115,260.55	159,739.45
13	Chemehuevi Indian Tribe	275,000.00	115,260.55	159,739.45
14	Cher-Ae Heights Indian Community	275,000.00	115,260.55	159,739.45
15	Chicken Ranch Rancheria	275,000.00	115,260.55	159,739.45
16	Cloverdale Rancheria	275,000.00	115,260.55	159,739.45
17	Cold Springs Rancheria	275,000.00	115,260.55	159,739.45
18	Colorado River Indian Tribes	275,000.00	115,260.55	159,739.45
19	Cortina Rancheria	275,000.00	115,260.55	159,739.45
20	Coyote Valley Band of Pomo Indians	275,000.00	115,260.55	159,739.45
21	Death Valley Timbi-Sha Shoshone Tribe	275,000.00	115,260.55	159,739.45
22	Elem Indian Colony	275,000.00	115,260.55	159,739.45
23	Elk Valley Rancheria	275,000.00	115,260.55	159,739.45
24	Enterprise Rancheria	275,000.00	115,260.55	159,739.45
25	Ewiiapaayp Band of Kumeyaay Indians	275,000.00	115,260.55	159,739.45
26	Federated Indians of Graton Rancheria	275,000.00	115,260.55	159,739.45
27	Fort Bidwell Indian Community	275,000.00	115,260.55	159,739.45
28	Fort Independence Reservation	275,000.00	115,260.55	159,739.45
29	Fort Mojave Indian Tribe	275,000.00	115,260.55	159,739.45
30	Greenville Rancheria	275,000.00	115,260.55	159,739.45
31	Grindstone Rancheria	275,000.00	115,260.55	159,739.45
32	Guidiville Rancheria	275,000.00	115,260.55	159,739.45
33	Habematolel Pomo of Upper Lake	275,000.00	115,260.55	159,739.45
34	Hoopa Valley Tribe	275,000.00	115,260.55	159,739.45
35	Inaja-Cosmit Mission Indians	275,000.00	115,260.55	159,739.45
36	Ione Band of Miwok Indians	275,000.00	115,260.55	159,739.45

Exhibit 4**Quarterly Amount of Shortfall in Payments that Occurred in the RSTF for the Quarter Ended March 31, 2006**

	Eligible Recipient Indian Tribe	Total Potential Quarterly Distribution	Total Recommended Quarterly Distribution	Quarterly Shortfall
37	Jamul Indian Village	275,000.00	115,260.55	159,739.45
38	Karuk Tribe of California	275,000.00	115,260.55	159,739.45
39	La Jolla Band of Mission Indians	275,000.00	115,260.55	159,739.45
40	La Posta Band of Mission Indians	275,000.00	115,260.55	159,739.45
41	Lone Pine Reservation	275,000.00	115,260.55	159,739.45
42	Los Coyotes Band of Cahuilla Indians	275,000.00	115,260.55	159,739.45
43	Lower Lake Rancheria	275,000.00	115,260.55	159,739.45
44	Lytton Rancheria	275,000.00	115,260.55	159,739.45
45	Manchester Point Arena Rancheria	275,000.00	115,260.55	159,739.45
46	Manzanita Mission Indians	275,000.00	115,260.55	159,739.45
47	Mechoopda Indian Tribe	275,000.00	115,260.55	159,739.45
48	Mesa Grande Mission Indians	275,000.00	115,260.55	159,739.45
49	Northfork Rancheria	275,000.00	115,260.55	159,739.45
50	Paiute Bishop Community	275,000.00	115,260.55	159,739.45
51	Pinoleville Reservation	275,000.00	115,260.55	159,739.45
52	Pit River Tribe	275,000.00	115,260.55	159,739.45
53	Potter Valley Rancheria	275,000.00	115,260.55	159,739.45
54	Quartz Valley Indian Community	275,000.00	115,260.55	159,739.45
55	Quechan Tribe of Fort Yuma	275,000.00	115,260.55	159,739.45
56	Ramona Mission Indians	275,000.00	115,260.55	159,739.45
57	Redwood Valley Rancheria	275,000.00	115,260.55	159,739.45
58	Resighini Rancheria	275,000.00	115,260.55	159,739.45
59	Round Valley Indian Tribe	275,000.00	115,260.55	159,739.45
60	Santa Rosa Band of Cahuilla Mission Indians	275,000.00	115,260.55	159,739.45
61	Santa Ysabel Mission Indians	275,000.00	115,260.55	159,739.45
62	Scotts Valley Band of Pomo Indians	275,000.00	115,260.55	159,739.45
63	Sherwood Valley Pomo Indians	275,000.00	115,260.55	159,739.45
64	Shingle Springs Rancheria	275,000.00	115,260.55	159,739.45
65	Smith River Rancheria	275,000.00	115,260.55	159,739.45
66	Stewarts Point Rancheria	275,000.00	115,260.55	159,739.45
67	Susanville Indian Rancheria	275,000.00	115,260.55	159,739.45
68	Table Bluff Reservation	275,000.00	115,260.55	159,739.45
69	Torrez-Martinez Mission Indians	275,000.00	115,260.55	159,739.45
70	Washoe Tribe of Nevada & California	275,000.00	115,260.55	159,739.45
71	Yurok Tribe of the Yurok Reservation	275,000.00	115,260.55	159,739.45
	Total	\$19,525,000.00	\$8,183,499.05	\$11,341,500.95