S T A T E O F N E W Y O R K

2333

2009-2010 Regular Sessions

I N S E N A T E

February 18, 2009

Introduced by Sen. PADAVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the Indian law, in relation to clarifying that an executive officer may not consent to Indian gaming on newly acquired lands without the express consent of the legislature

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The Indian law is amended by adding a new section 16 to read as follows:

S 16. LEGISLATURE'S EXPRESS CONSENT REQUIRED FOR GAMING ON NEWLY ACQUIRED LANDS. NO EXECUTIVE OFFICER OF THE STATE OF NEW YORK SHALL CONCUR IN, OR CONSENT TO, ANY DETERMINATION BY THE UNITED STATES SECRETARY OF THE INTERIOR THAT A GAMING ESTABLISHMENT ON NEWLY ACQUIRED INDIAN LANDS WOULD BE IN THE BEST INTEREST OF THE INDIAN TRIBE AND ITS MEMBERS AND WOULD NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITY, UNLESS THAT PARTICULAR DETERMINATION IS MADE UNDER THE AUTHORITY, AND WITH THE EXPRESS CONSENT, BY STATUTE OR RESOLUTION, OF THE LEGISLATURE.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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