

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 1022 (as introduced 3-18-98)
Sponsor: Senator Dave Jaye
Committee: Hunting, Fishing and Forestry

Date Completed: 3-24-98

CONTENT

The bill would create the "Fish or Chips Act" to provide that a Federally recognized Indian tribe that engaged in or authorized any person to engage in casino gaming on Native American land or land held in trust by the U.S. for a Federally recognized Indian tribe (under the Federal Indian Gaming Regulatory Act), would surrender any rights to engage in gill net fishing in the State.

"Casino and "gaming" would be defined as they are in the Michigan Gaming Control and Revenue Act. ("Casino" means a building in which gaming is conducted, and "gaming" means to deal, operate, carry on, conduct, maintain, or expose for play any game. "Game" means any game played with cards, dice, equipment or machine for money or any representative for value (including faro, monte, roulette, keno, bingo, fan tan, twenty one, blackjack, seven and a half, klondike, craps, poker, chuck-a-luck, Chinese chuck-a-luck, wheel of fortune, chemin, de fer, baccarat, pai gow, beat the banker, panguingui, slot machine, or any banking or percentage game) but does not include games played with cards in private homes or residences in which no person makes money in operating the game.)

Legislative Analyst: N. Nagata

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State government, depending on its enforceability, or whether the Indian tribes would agree to forego their commercial fishing rights.

Casino gaming on Native American land and fishing in the Great Lakes are authorized tribal activities under Federal treaty rights. Therefore, the ability of the State to enforce a change in these areas is unclear, and the State may incur legal costs in seeking this clarification. If Indian tribal fishing rights were surrendered, however, the State could potentially save millions of dollars in payments to licensed commercial fishermen who stand to lose access to their fishery in the year 2000 due to a negotiated treaty settlement.

Fiscal Analyst: G. Cutler

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