



Slots vote could lead to casino

By **DAVID KIBBE**
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BOSTON - The Aquinnah Wampanoag tribe of Martha's Vineyard will assert a right to build a resort casino under Indian gaming law if Massachusetts legalizes slot machines at the state's four racetracks, the tribe's chairman said.

Senators overwhelmingly approved the slot machine proposal last fall, and it is widely expected to come up for a vote in the House as early as March.

Tribal Chairman Donald Widdiss said the Aquinnah Wampanoag, who have hired the Boston lobbying firm of Donoghue, Barrett and Singal, are watching the House debate "very closely."

"We're presently a little more hopeful because it will get a hearing and be voted on this year," Widdiss said.

The legislation before the House would allow up to 2,000 slot machines at each of the state's four racetracks, including Raynham-Taunton Greyhound Park, Suffolk Downs, Wonderland and Plainville.

Supporters of the slots bill say they have a majority in the House, but it is unclear whether they have the two-thirds majority necessary to override Gov. Mitt Romney's veto.

Under the 1988 Indian Gaming Regulatory Act, federally recognized tribes such as the Aquinnah Wampanoag would be entitled to offer the same form of Class III gaming that is legal in the rest of the state, including slot machines.

A gambling facility could be on tribal land or on property that is held in trust for the tribe by the federal government.

Whether the Aquinnah Wampanoag could offer other forms of Class III gambling in a full-fledged casino - like craps and blackjack - could be subject to negotiations between the tribe and the state, according to the National Indian Gaming Commission, which oversees Indian gambling. Before the tribe could begin any Class III gambling, it would have to negotiate a federally approved compact with the state.

Lobbyists for the racing industry are insisting that legislation to allow slot machines at the racetracks would not allow the tribe to open a casino or slots parlors. That view has been disputed by Gov. Mitt Romney, who has vowed to veto the slots legislation, saying it could open the door to a Native American casino.

Ironically, the Romney administration proposed allowing slots parlors on an experimental basis three years ago, while insisting at the time that the state could block the tribe from establishing a gaming facility.

Widdiss said the tribe believes it has the right under Indian gaming law to open a full resort casino if the state approves a form of Class III gambling such as slot machines.

The National Indian Gaming Commission could not be reached for comment for this story. But last year, commission spokesman Shawn Pensoneau said the Aquinnah Wampanoag could negotiate a more expansive, Class III gaming compact with the state to open a casino, as long as the other forms of gaming were not forbidden under state law.

"If you open the door to slots, which is Class III gaming, then the question is what sort of Class III gaming is allowed," Pensoneau said.

Meanwhile, the Aquinnah Wampanoag tribe, which scaled back its lobbying effort after failing to win approval for a casino in 2003, is getting more aggressive on the issue.

Widdiss said the tribe has identified "two or three viable sites in the commonwealth that I think would be appropriate for Class III gaming."

Widdiss would not identify the sites, but the tribe was looking in Bristol and Plymouth counties in 2003. Widdiss said the tribe does not intend to seek a casino on Martha's Vineyard or Cape Cod, where it would face heavy resistance.

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