

In my opinion we have the right to access federal acts that apply to federally recognized tribes.

Kirk Francis

Penobscot

Chief, Penobscot Indian Nation

Gaming

Like all people, the Wabanaki have a number of traditional games played throughout the seasons for sport and entertainment. Betting on the outcome of a game was often an integral part of the game, not just for participants, but also for observers. Many traditional games are still enjoyed, and some, like the Micmac game *waltes*, have been relearned based on oral history.

Nationally:

In the late 1970s, tribes in several states, including Maine, began high stakes bingo operations with large cash payouts, arguing that their status as sovereign nations gave them the right to operate these facilities without state intervention and apart from state regulations. In the 1980s, the courts ruled to support the tribes, stating that gaming operations could encourage self-sufficiency and economic independence. With this recognition came calls for regulation of Indian gaming, and in 1988 the Indian Gaming Regulatory Act was signed (IGRA), making Indian gaming the most regulated gambling in the world.

There are three classes of gaming defined under the IGRA. The first is traditional forms of games for minimal prizes. Class two gaming includes games such as Bingo!, and class three includes slot machines and high stakes table games. The IGRA stipulates that if a state does not allow any form of gambling, including the lottery, then tribes within that state cannot operate a class two or three gaming operation.

To operate a casino, tribes must apply to the Indian Gaming Regulatory Commission with a business plan that identifies all partners and investors and specifies how the income will be distributed and managed. These business plans allocate income to other tribal economic development opportunities; investment in infrastructure, social programs for members, and cultural development programs including language; and, in some cases, a per capita payment for tribal members. Tribal casinos are important sources of employment for community members as well.

Maine:

The IGRA was passed after the Settlement Act was signed in Maine, and because the IGRA does not specifically mention the Wabanaki, it does not apply in Maine. The Passamaquoddy and Penobscot have tried repeatedly to win the right to operate gaming

facilities for the benefit of the tribe and local communities, but each attempt has failed, despite the fact that Maine has gambling in other forms, including lottery and slot machines.

Gaming Newspaper Headlines:

Betting on prosperity: Passamaquoddy hopes pinned on gambling referendum

By Diana Graettinger

Bangor Daily News

October 20, 2007

‘Why would they discriminate against us as Indian people to have a racino [harness racing casino] here when they already have one [in Bangor]?’ Indian Township tribal member Linda Meader asked.

‘I just think that it’s not the right thing for Washington County,’ said Pastor Bob Hinton of the First Baptist Church in Calais. ‘It’s just going to cause a lot more problems, and we have enough problems. And it’s going to be a big headache for a lot of people. A lot of people who don’t have money down here are going to be spending money there and lose what they have now.’

‘This is not economic development,’ Dennis Bailey of CasinosNO! said ‘This is taking money that would be spent on refrigerators, cars and going out to dinner and putting it in the hands of an industry that produces absolutely no product.’

Tribe’s racino bid narrowly defeated

By Kevin Miller

Bangor Daily News

November 7, 2007

Tuesday’s defeat would be the second time in four years that Maine residents have denied Indian tribes the right to build a gaming facility – this despite voter approval in 2003 of a privately owned racino in Bangor. The casino would offer 1,500 slot machines, the same number permitted at the new Hollywood Slots facility now under construction in Bangor.

Tribe pursues severing state ties: Penobscots seek slots over Baldacci’s refusal

Bangor Daily News

April 26, 2008

‘This is one issue out of many where we have a disagreement with the tribes, but that disagreement goes beyond just the tribes to all sorts of people with gambling interests in the state.’ Baldacci’s spokesman David Farmer said Friday. ‘It’s the governor’s hope that this one disagreement won’t sour the relationship.’

Is the gamble paying off? Hollywood Slots marks its first year at new facility in Bangor

By Eric Russell

Bangor Daily News

July 1, 2009

Revenue has increased for six consecutive months through May 2009. It hasn't yet climbed back to the high-water mark of \$75 million in the first month of the permanent facility, but Jon Johnson, general manager, is pleased. 'We need table games,' Johnson said, referring to card games like poker and blackjack. 'If we want to compete with Connecticut [Foxwoods, Mohegan Sun], we need to offer those options.'

Gaming, Wabanaki Quotes:

We've been watching the gaming discussion closely and looking at the economy overall to determine the viability of opening a casino. But given the current situation this doesn't seem like a viable business venture right now.

Richard Dyer

Micmac

Housing Director, Aroostook Band of Micmacs

The way I feel, there are two sides to this issue. First, I have to represent what my people have voted on and what they want to see happen. Second, I need to look at gaming to determine if it's a viable economic venture and the ways in which it will impact us. What will the cultural and social impact be? I have to weigh all these things, not just the financial side. We have to have a plan in place for where that money would go and how it would be used. This is different than how an outside company coming in and starting a casino would have to think about things. They're often from out of state. They don't live here and aren't impacted by the effects on the community.

Billy Nicholas

Passamaquoddy

Governor, Indian Township

Not everyone supported gaming, but we had a general meeting and a vote on whether to pursue a casino or not and the tribe voted yes, and as a tribal representative to the state legislature, I had to represent that decision.

Donna Loring

Penobscot

In 1992, the Passamaquoddy were the first to propose gaming in the state and there was a lot of support for it. We estimated that it would generate between ten and fifteen million for this area over seventeen years. It could have really kept Washington County and the tribe in good standing. But because it was the tribe that put forth the gaming proposal, the state became our biggest opponent.

Donald Soctomah

Passamaquoddy

Historic Preservation Officer, Tribal Representative to the State Legislature

The worst thing for tribal-state relations has been that tribal gaming has continued to be rejected while the state has allowed out-of-state gambling operations to open, and expanded the lottery.

Donald Soctomah

Passamaquoddy

Historic Preservation Officer, Tribal Representative to the State Legislature

Casino gambling is an economic tool, but it's not the whole issue. We have a government-to-government relationship with the federal government as a federally recognized tribe. The federal government has a system in place to manage tribal gaming operations with all federally recognized tribes, but Maine says that the Settlement Act supercedes federal regulations that contradict state law, despite the fact that the state has expanded gaming in many ways over the past thirty years.

Kirk Francis

Penobscot

Chief, Penobscot Indian Nation

By not allowing gaming, tribes in Maine are separated from tribes in other states who do run gaming operations, which makes two classes of federally recognized tribes. Maine tribes are being left behind in some ways. Tribes with casinos move at a faster pace than we can. There's a fear that this is divide and conquer all over again.

Kirk Francis

Penobscot

Chief, Penobscot Indian Nation

The Penobscot took an initial poll of people in the state to determine if there was support for opening a casino, and the poll came back very favorable. As we moved forward, a commercial was aired that said if the tribe opened a casino the law would allow kids to gamble and had an image of a kid pulling a slot machine. Here it was our idea and we got massacred, and someone else ended up with what we wanted; it's sort of like history repeating itself.

Donna Loring

Penobscot

Wabanaki quotes to go with dish game:

Waltres is still played, which is a bowl and dice game that's traditional for this area.

Richard Dyer

Micmac

Housing Director, Aroostook Band of Micmacs

Traditional games such as *waltres*, which is a dice game made from antler chips that are decorated and then flipped in a bowl, was played for entertainment. Gaming has always been a type of entertainment. Many of our people now love to play Bingo!

Donald Soctomah

Passamaquoddy

Historic Preservation Officer, Tribal Representative to the State Legislature

People may play a game, like basketball, that's not strictly a Passamaquoddy game, but the kids learn community values by getting together to play.

Richard Phillips-Doyle

Passamaquoddy

Sakom/Chief, Passamaquoddy Tribe