



BRIEF TIMELINE: INDIAN GAMING IN THE U.S. AND ARIZONA

1987 U.S. Supreme Court ruling in *California vs. Cabazon*

- Tribes could engage in forms of gambling that were not expressly prohibited by the state in which the tribe is located.
 - If a state regulates gaming, in any form, then gaming falls under civil law for which Indian tribes cannot be prosecuted and the state is obligated under federal law to enter into compact negotiations with a tribe.
 - If a form of gambling sought by a tribe is expressly prohibited by the state under criminal law, then the state can refuse negotiations for particular games on that basis.
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1988 Indian Gaming Regulatory Act, IGRA

- In response to *California vs. Cabazon* ruling, IGRA was passed to create a balance between the tribe's right to conduct gaming on their reservation and the public interest of the states in which the tribes are located.
 - IGRA provided for the conduct of Class III gaming on Indian lands if tribal-state compacts are entered into and only if similar games are offered in that state.
 - Stipulates that if a state refuses to negotiate in good faith with a tribe, the tribe can sue the state.
 - Stipulates that the Secretary of the Interior can offer alternative compacting if regulations are in place and a state refuses to negotiate in good faith with a tribe.
 - Identifies the ways in which Indian gaming revenues can be spent.
 - Identifies three regulatory systems: the tribal regulatory office, State Department of Gaming, and the National Indian Gaming Commission.
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1992 Negotiations Begin between the State of Arizona and the Tribes

- Governor Fife Symington was granted legislative authority (H.B. 2352) for negotiating and signing compacts.
- First compact signed with Yavapai Prescott awarding them 250 slot machines.
- U.S. Attorney's office begins to seize Arizona Indian reservation slot machines. May 12, 1992, Fort McDowell refuses to turn over machines and a stand off begins.



1993 Chief Justice Frank Gordon rules slot machines are permitted in Arizona

- Tribes must have a compact with the state of Arizona.
- Eight tribes sign compacts with the state of Arizona
- Eight more sign compacts with the State

1994 Rumsey Indian Rancheria of Wintum Indian v. Wilson

- Ninth Circuit Court of Appeals rules that “a state need only allow Indian tribes to operate games that others can operate, but need not give tribes what others cannot have.”
- Governor Symington refuses to sign 17th tribal compact with Salt River Pima-Maricopa Indian Community, claiming that Rumsey prohibits him from signing.

1996 Seminole Tribe of Florida vs. the State of Florida

- Seminole tribe of Florida is denied a tribal state gaming compact from the state of Florida. The state refuses to negotiate in good faith and the lawsuit goes up to the U.S. Supreme Court. The Court rules that if a state refuses to negotiate in good faith, the tribe cannot sue the state.

1996 Salt River Pima-Maricopa Indian Community places Proposition 201 - the Fairness Initiative - on the statewide ballot and sues the State of Arizona

- Initiative allows the five remaining tribes (Navajo, Hopi, Havasupai, San Juan Southern Paiute and Salt River Pima-Maricopa Indian Community) to have a gaming compact if they want one.
- Prop 201 wins by 64% of the vote.

1998 The Arizona Supreme Court rules in favor of Salt River Indian Community

- A lawsuit is filed against Salt River and Governor Fife Symington prohibiting the provision of Prop 201 from being implemented, even though Symington signs 201 into law. The State Supreme Court rules in favor of Salt River.
- June 1998, Governor Jane Hull signs a compact with the Salt River Pima-Maricopa Indian Community.

2002 17 Tribes in Arizona place Proposition 202 on statewide ballot

- Initiative placed on ballot after two and one-half years of negotiation
- Initiative represents more than 90% of all Indians living on reservations in Arizona and more than 240,000 Arizona citizens who signed petitions to place it on the state ballot.



November 5, 2002

- Voters approve Prop 202
- Ensures that gaming on Indian land continues providing jobs and generating vitally needed funding for such basic services such as education, housing and health care;
- Provides a mechanism for non-gaming tribes located in more remote areas of the state to benefit from gaming revenues;
- Shares a portion of gaming revenues with the State of Arizona and local governments. Initiative stipulates that 12% of gaming revenues are contributed each year to the Arizona Benefits Fund which is earmarked for city, town and county government services and for Department of Gaming administrative and regulatory costs.

Eighty-eight percent (88%) of the Arizona Benefits Fund is dedicated to local school districts for statewide dropout prevention programs, school readiness and reading programs, and classroom reduction programs; emergency services and trauma centers, wildlife and habitat conservation, tourism promotion and education, prevention and treatment of problem gambling.

- Provides additional regulatory oversight by the Arizona Department of Gaming;
- Allows gaming tribes to continue to make voluntary donations to local charities, community programs and the state university system. To date, these contributions have totaled millions of dollars each year.

July 25, 2003

- First shared revenues are paid by tribes to the State of Arizona Arizona Benefits fund.

September 15, 2004

- First Annual Report of Shared Revenue Released. Tribes contributed \$37,957,013.01 in Fiscal 2004 to the Arizona Benefits Fund.

Problem Gambling: \$ 759,140.26

Arizona Department of Gaming: \$ 8,000,000.00

Instructional Improvement Fund: \$16,350,808.74

Trauma and Emergency Services Fund: \$ 8,175,404.37

Arizona Wildlife Conservation Fund: \$ 2,335,829.82

Tourism Fund Account: \$ 2,335,829.82