

## Ariz. House OKs bill intended to block new casino - Bloomberg

Written by Administrator

Tuesday, 25 January 2011 17:52 -

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PHOENIX (AP) — Legislation intended to derail a Southern Arizona tribe's plan to build a Las Vegas-style casino-hotel near Phoenix is being pushed by majority Republicans early in the Arizona Legislature's two-week-old session.

The House approved the legislation 39-21 on Tuesday,

though that fell one vote short of the two-thirds majority needed to give the legislation an emergency designation and take effect immediately if it's signed into law.

The Senate could vote on an identical bill aimed at the Tohono O'odham Nation's project as early as Wednesday.

Glendale abuts the project's 54-acre site on three sides, and the legislation would allow the city to annex it without consent of the Sells-based tribe.

Casinos in Arizona can be built only on American Indian reservations.

City leaders oppose the project, saying Tohono O'odham officials didn't give the community any say and that the project would provide unfair competition to other businesses. Meanwhile, legislative critics and Gov. Jan Brewer said the project flies in the face of voters' 2002 authorization of tribal casinos in exchange for allowing them only on reservation land.

The U.S. Interior Department last year agreed to take the site into trust on behalf of the nation, but the project is being challenged in federal court by Glendale, Brewer and a tribe that operates several casinos on the outskirts of the Phoenix area.

The Tohono O'odham Nation cites the project's economic benefits. It also argues that the state legislation tramples on its sovereignty and would interfere with the pending court case.

At a time when Arizona is struggling to recover from the Great Recession, the state legislation

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"says no" to thousands of jobs anticipated both temporarily for construction and later permanently to run the casino-hotel, said Knox Kimberly, a lobbyist for the tribe.

Opponents said the casino — not jobs — is the sticking point.

"If it were about jobs, they could go ahead now and build the hotel," said Rep. Steve Montenegro, R-Litchfield Park.

The site is across the street from a high school and within walking distance of stadiums for the Arizona Cardinals football team and the Phoenix Coyotes hockey team, along with the entertainment venues that have sprung up around them.

Rep. Steve Urie, R-Gilbert, said allowing the project to proceed would set a precedent that would lead to additional casinos being built inside the Phoenix area.

The Tohono O'odham Nation bought the land years ago without disclosing it was the purchaser. In asking that the land be added to its reservation, the tribe cited a 1986 federal law that allowed it to acquire property to replace land that was flooded when a dam was built.

The lack of emergency status for the bill means it wouldn't take effect until 90 days after the current legislative session ends. That would delay implementation well into the summer, at least.

But before then, the stance taken by state lawmakers still could influence what Interior Department officials and the federal judge hearing the challenge do, said the House bill's chief sponsor, Republican Rep. Jerry Weiers of Litchfield Park. "I think when the feds start looking at this, they'll look at everything."

The Senate bill's chief sponsor, Republican Scott Bundgaard of Peoria, did not immediately return a call for comment on whether the House's failure to pass the measure as an emergency

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affects what happens next.

All 20 House Democrats and one Republican, Rep. Eddie Farnsworth of Gilbert, voted against the bill.

Farnsworth said he agreed with concerns voiced by several Democrats about letting municipalities annex property over the objections of property owners. And it was particularly troubling that the casino bill would allow an annexation to take effect immediately if approved by a two-thirds vote of a city council, he said.

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