

Ignoring tribal objections, Gov. Jan Brewer on Tuesday signed legislation designed to undermine efforts by the Tohono O'odham Nation to build a casino on the edge of Glendale.

In a two-sentence explanation, the governor said the law "assures that local officials will continue to have a say in local development matters that affect their community." That,

Brewer said, promotes "transparent discussion because the public interest is best served when communities work together."

But the law, which will take effect later this year, is designed not to promote discussion but to effectively give Glendale veto power over the planned casino.

That's because it would permit the city to annex the nearly 54 acres of land the nation owns without consent of any tribal officials. And once the land is part of Glendale, it is no longer eligible to become part of the Tohono reservation, a necessary precursor for operating a tribal casino.

Tuesday's action is not the last word.

First, the bill will not take effect until 90 days after the Legislature finally adjourns for the session, something not set to occur until at least late April.

In the interim, the tribe is pushing for a quick ruling on a challenge by Glendale, the Gila River Indian Community and some state officials to its casino plans. They claim the U.S. Department of Interior acted illegally in giving permission to make the property part of the reservation.

That final go-ahead is on hold while the case is being heard. But if the Tohono win the lawsuit before the bill becomes law, any annexation move by Glendale could come too late.

And if the law takes effect first, tribal Chairman Ned Norris Jr. already told Brewer, in a letter last

week, the issue will wind up in court. He said the measure violates both state and federal constitutional provisions.

A 1986 federal law gave the tribe money to purchase land to replace nearly 10,000 acres flooded by a federal dam project. There is no requirement that the land be adjacent to the main reservation in Southern Arizona.

That law also permits the tribe to petition to have the new lands made part of its reservation -- but only if the land is not within any city limits. This law is designed to throw that roadblock in the path of reservation status.

Brewer, a Glendale resident, has never made her opposition to the planned casino a secret.

In a letter to Norris more than a year ago, Brewer said a casino on the edge of Glendale would violate the intent of voters in approving a 2002 initiative giving tribes exclusive right to operate casinos in Arizona.

"It assured voters if they supported the balance contained within it that all casino-style gambling would be limited to existing tribal communities and would not become a part of off-reservation neighborhoods," Brewer wrote. "I do not believe the voters ever anticipated that gaming in this state would be anywhere other than on the tribal lands that existed at the time of Proposition 202."

Norris, however, said the ballot measure specifically allowed for unique situations like this when his tribe is replacing lost lands.

A federal judge is set to hear legal arguments later this month on the challenges to the Interior Department permission for the Tohono to make the land part of the reservation.

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