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GOVERNOR PATRICK AND CHAIRMAN CROMWELL SIGN GAMING COMPACT BETWEEN COMMONWEALTH AND MASHPEE WAMPANOAG TRIBE

BOSTON- Wednesday, March 20, 2013 – Governor Deval Patrick and Chairman Cedric Cromwell today announced that a new gaming Compact between the Commonwealth and the Mashpee Wampanoag Tribe has been signed and will now be sent to the Legislature for approval. This Compact paves the way for a resort-style casino in Region C in the southeast of Massachusetts, created by the Expanded Gaming Act signed by Governor Patrick in 2011.

“We are pleased to see this next step in expanded gaming take place and I urge the legislature to ratify the agreement quickly,” said Governor Patrick. “A gaming facility will bring needed jobs and economic opportunity to the region. I look forward to our continued partnership with the Tribe as we go forward.”

“I would like to thank Governor Patrick for his strong and steadfast partnership in working with us to reach an agreement that we believe will be approved by the federal government,” Cedric Cromwell said. “Our project has continued to move at a very brisk pace during these negotiations. We look forward to breaking ground in the next year on a development that will bring thousands of jobs and significant economic benefits to our tribe, the people of Taunton and the entire southeastern Massachusetts region.”

The Expanded Gaming Act makes it clear that the tribal rights to gaming in the Southeastern portion of the state are a priority, and by continuing to move this process forward, the Patrick-Murray Administration can ensure that priority remains while bringing new jobs and opportunity to Southeastern Massachusetts.

The Commonwealth and the Mashpee Wampanoag Tribe negotiated the Compact over the course of several months. As a tribal government, the Tribe is not subject to the Expanded Gaming Act. In exchange for several concessions from the state, the Compact establishes guidelines for a potential tribal casino that are consistent with the policies and principles outlined in the Expanded Gaming Act.

The new Compact changes the revenue share formula, which will be set at 21 percent of tribe revenues to the Commonwealth and will continue to be the case for as long as the tribal facility is the only one operating in the Commonwealth. When a commercial facility opens in one of the other two gaming regions, the revenue share will fall to 17 percent. The Compact reduces the revenue share of the applicable rate by 2 percent if a slot parlor opens in the region.

In July 2012, Governor Patrick signed a Resolve with the Tribe, H.4261 "Resolve Relating To The Tribal-State Compact Between The Mashpee Wampanoag Tribe And The Commonwealth Of Massachusetts." Signing the Resolve was the final step in the process before the first Compact could be submitted to the United States Department of the Interior for final approval. The Department of Interior denied the first Compact. The new Compact makes a number of other changes, mostly reflecting the relevant federal law, the Indian Gaming Regulatory Act, which is the chief oversight mechanism for tribal gaming. The new Compact does not include previous provisions regarding the Tribe's hunting and fishing or other land claims. The term of the Compact is 20 years.

The Administration has received technical assistance from U.S. Department of the Interior during this process.

The new Compact must be ratified by a simple majority of the Legislature. After ratification, the Bureau of Indian Affairs has 45 days to make its decision on the Compact.

In November 2011, Governor Patrick signed the Expanded Gaming Act, which authorized the creation of three resort-style gaming facilities in Massachusetts, along with one slot facility. The Act allows for the gaming facilities to be built in three regions, Western Massachusetts, Greater Boston and Southeastern Massachusetts. The Act directed the Governor to negotiate a compact with any eligible, federally-recognized sovereign Tribe for a facility in the Southeastern region.

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