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## **Testimony in Support of LD 554 – An Act to Create Gaming Equity and Fairness for the Native American Tribes in Maine**

Good Morning Senator Luchini, Representative Caiazzo, and distinguished members of the Joint Standing Committee on Veterans and Legal Affairs. My name is Rena Newell, and I represent the Passamaquoddy Tribe. Thank you to Representative Benjamin Collings of Portland for the presentation of this proposed legislation.

As I feel it is my duty within my role to foster positive tribal-state relations and encourage the Tribe's right to self-determination. I am before you today to testify **in support of LD 554, An Act to Create Gaming Equity and Fairness for the Native American Tribes in Maine**. Today, you will receive additional testimony from tribal leadership and others, so my testimony will be brief.

What this bill seeks to do is create gaming equity and fairness for the Tribes in Maine. I have included in my testimony for this committee's review, **Maine Casino Gambling Legislative History**. This legislative history contains proposed and enacted legislation from 1993 to present, related to the regulation of casinos under Maine Statutes (8 MRS Chapters 30 (repealed) and 31), and the authorization of casinos to operate in Maine, and slot machine gaming.

You will find contained within this history proposed legislation which began in 1993 with LD 1266 "An Act to Allow a Casino to be Constructed by the Passamaquoddy Tribe in Calais for the Purpose of Gambling" followed by continuing proposed legislation to date. I would

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highlight that since 1993, two non-tribal casino initiatives received enacted legislation and are in operation within this State of Maine. However, despite the initial attempts by the tribes, this legislative history continually reflects opposition to tribal legislation in support of gaming operations. Why is that? If the State of Maine allows gaming, would it not be just or appropriate to support the federally recognized tribes as well. History has shown this not to be true. Yet here we are again, 28 years later.

<https://www.maine.gov/legis/lawlib/lldl/casinogambling/index.html>

As stated by Representative Collings, and in the summary of this proposed legislation, this would amend the Maine law to provide that gaming is allowed under the terms established by the federal Indian Gaming Regulatory Act.

Here, I have also included a link to information relating to the Indian Gaming Regulatory Act.

[Indian Gaming Regulatory Act | National Indian Gaming Commission \(nigc.gov\)](http://nigc.gov)

The Indian Gaming Regulatory Act was enacted by the United States Congress on October 17, 1988, to regulate the conduct of gaming on Indian Lands. IGRA establishes the National Indian Gaming Commission and a regulatory structure for Indian gaming in the United States. Public Law 100-497-Oct. 17, 1988 100th Congress Sec. 2701. Sec. 2702. Declaration of policy includes:

- (1) to provide a statutory basis for the operation of gaming by Indian tribes as a means of promoting tribal economic development, self-sufficiency, and strong tribal governments;
- (2) to provide a statutory basis for the regulation of gaming by an Indian tribe adequate to shield it from organized crime and other corrupting influences, to ensure that the Indian tribe is the primary beneficiary of the

gaming operation, and to assure that gaming is conducted fairly and honestly by both the operator and players; and  
(3) to declare that the establishment of independent Federal regulatory authority for gaming on Indian lands, the establishment of Federal standards for gaming on Indian lands, and the establishment of a National Indian Gaming Commission are necessary to meet congressional concerns regarding gaming and to protect such gaming as a means of generating tribal revenue. (Pub. L. 100–497, §3, Oct. 17, 1988, 102 Stat. 2467.)

The opportunity for the tribes to exercise their right to participate in gaming is an important one. As previously mentioned, it provides an opportunity to promote tribal economic development, self-sufficiency, and strong tribal governments. In addition, as seen throughout Indian Country, the benefits of resources received are not limited to only the tribes, but to its neighbors as well.

In closing, I humbly call upon each of you to give consideration to the continuance in elevating the standard to improving tribal-state relations through equity and fairness by raising your voice to support LD 554.

I'll be happy to answer any questions that members of the committee may have at this time.

Respectfully presented.

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