

Gambling Commission, Cowlitz Indian Tribe Reach Tentative Agreement on Gaming Compact Amendment

The Washington State Gambling Commission has reached a tentative agreement with the Cowlitz Indian Tribe on an amendment to its Class III gaming compact. The proposed amendment includes new provisions that don't exist in other tribes' compacts.

"The Cowlitz Indian Tribe is the first tribe in Washington to agree to several of the provisions in the proposed amendment," said Commission Chair Bud Sizemore. "Those provisions include providing additional funding for the community and updating 25-year-old wager limits."

The following is a summary of the major changes in the proposed amendment.

- Allows operation of 125 gaming tables in one gaming facility or a combination of two facilities.
- Allows designated area for 25% of table games in operation to offer up to \$1,000 wagers; and limited tables can offer up to \$5,000 wagers after customer screening.
- Allows operation of 3,000 player terminals in one gaming facility or a combination of two facilities.
- Allows \$30 wagers at 15% of the player terminals in operation.
- Adds the use of near-field communication (NFC) devices, EMV or smart cards, or similar secure payment technologies, upon agreement.
- Allows for extension of credit to qualified customers, based on screening criteria set out in the appendix, and documented in a memorandum of understanding.
- Creates and maintains a responsible gambling program and provides additional funding for problem gambling treatment.
- Provides additional funding for community impact and charitable contributions.
- Updates tribal forums and adds relevant criminal laws.
- Establishes a moratorium on additional changes until six months after Problem Gambling Task Force completes its report.
- Adds a framework to review and approve a wide-area progressive connected to the Tribal Lottery System.

"On behalf of the Cowlitz Indian Tribe, we would like to thank the Washington State Gambling Commission, the Washington State Legislature and the Governor's Office for their continued support on not only this endeavor, but also the efforts that paved the way to Ilani's opening," said Cowlitz

Indian Tribe Chairman Philip Harju. "Ilani is now the economic engine that provides continued sustainability for the tribe and surrounding communities. Since 2017, the tribe and Ilani have contributed over \$13,000,000 in ordinance and compact fees, with a significant majority of the funds staying in Clark County, WA. We greatly appreciate the partnership between our governmental bodies and look forward to future collaboration."

Court Permanently Strikes Down Montana Law That Restricts Voting Rights of Native Americans

A Montana court has permanently struck down a state law that severely restricted the right to vote for Indigenous people living on rural reservations.

Western Native Voice v. Stapleton, filed in March of this year by Native American Rights Fund (NARF), the American Civil Liberties Union, and ACLU of Montana, challenged the so-called Montana Ballot Interference Prevention Act (BIPA), a law that imposed severe restrictions on ballot collection efforts that are critical to Native American voters living on rural reservations.

The law set an arbitrary limit on the number of ballots an individual could collect and also restricted the categories of individuals who were permitted to collect ballots. These limitations were intended to suppress turnout on rural reservations, where geographic and socioeconomic barriers to voting make ballot collection even more critical.

In the introduction of the order the court wrote, "the questions presented cannot be viewed through the lens of our own upbringings or own life experiences, but through the lens of the cold, hard data that was presented at trial about the clear limitations Native American communities in Montana face, and how the costs associated with ... (BIPA) are simply too high and too burdensome to remain the law of the State of Montana."

The lawsuit was filed on behalf of the Assiniboine & Sioux Tribes of Fort Peck, Blackfeet Nation, Confederated Salish and Kootenai Tribes of the Flathead Reservation, Crow Tribe, and Fort Belknap Indian Community as well as Western Native Voice and Montana Native Vote, Native American-led organizations focused on getting out the vote and increasing civic participation in the Native American community.

In a state where the majority of individuals vote by mail, rural tribal communities work with get-out-the-vote organizers who collect and transport ballots to election offices that would otherwise be inaccessible because of distance, lack of access to transportation or other socio-economic barriers.

These ballot collection efforts are often the only way Native Americans living on rural reservations can access the vote. BIPA would have effectively ended this practice, disenfranchising Native American voters en masse. ♣