

Pojoaque Pueblo sues state over gambling compact

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Pojoaque Pueblo is has filed a federal court lawsuit maintaining Gov. Susana Martinez's administration has failed to "conclude negotiations in good faith" over renewal of the pueblo's gaming compact, the pueblo announced in a news release. The current compact expires June 30, 2015.

Pojoaque Gov. George Rivera said, "The Martinez Administration seeks an agreement that would not only further restrict tribal gaming but would also impose and increase taxes, fees, charges and other assessments."

The Journal is seeking comment from Gov. Martinez's office today and will update this story as it develops.

Here is the full news release issued late Monday night by Pojoaque Pueblo:

Pueblo of Pojoaque Governor George Rivera announced that the Pueblo of Pojoaque has filed suit against the State of New Mexico. The Pueblo seeks redress for New Mexico Governor Susana Martinez' failure to conclude negotiations in good faith for a Class III Gaming Compact as required by the federal law. The current compact expires on June 30, 2015.

"We need to make the gaming industry in New Mexico competitive with other states. This requires eliminating many

prohibitions and limitations placed on the industry going back two decades when tribal gaming was introduced in this State,” stated Governor Rivera.

The Martinez Administration seeks an agreement that would not only further restrict tribal gaming but would also impose and increase taxes, fees, charges and other assessments. According to Governor Rivera, “How can this serve to make New Mexico more economically competitive? Tribal gaming facilities employ thousands of New Mexicans with multi-million dollar payrolls that are reinvested into the local economy. The Pueblo cannot agree to greater taxation and regulatory fees, the continuation of outdated business practice or new restrictions that are damaging to the industry.”

In testimony before the New Mexico Indian Affairs Committee, the Pueblo of Pojoaque has expressed its concern for the inequitable treatment the Tribes and Pueblos receive from the State in terms of incentives for economic development activities. Nationwide and in New Mexico, gaming revenues are flat since 2008.

“The economic landscape has changed significantly since the Tribes and the State last negotiated compacts. With the recession, diminishing federal funding, government shutdowns, reductions in capital outlay monies from the State, and increased reliance upon tribal dollars to fund the needs of the Pueblo and surrounding communities, we cannot accept the status quo from years gone by,” said Pueblo of Pojoaque Lieutenant Governor Joseph Talachy. “Governor Martinez says her vision is to make New Mexico more economically competitive. To that end she has supported targeted tax breaks as a key component for State job growth in order to keep up with our neighboring states. She has stressed the need for the State to diversify our economy and compete for critical jobs yet her Administration has offered tax breaks and incentives to nearly every industry in the State except tribal gaming,” said Governor Rivera.

“The Pueblo’s intention is to continue to negotiate with the New Mexico Governor’s Office for a renewed compact. However, the Pueblo will maintain its focus on obtaining a compact both that secures the greatest potential success for our economy and future generations, and that complies with the Indian Gaming Regulatory Act. The intent of federal law is to provide for the operation of gaming by Indian Tribes as a means of promoting tribal economic development, self-sufficiency, and strong tribal governments. But the law also has built-in measures to preserve gaming revenues as tribal assets during compact negotiations,” stated Governor Rivera.