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Deval Patrick**in Governor's
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**GOVERNOR PATRICK ANNOUNCES GAMING COMPACT WITH
MASHPEE WAMPANOAG TRIBE**

BOSTON – Wednesday, July 11, 2012 – Governor Deval Patrick today announced that the Commonwealth has reached a tentative agreement with the Mashpee Wampanoag Tribe on a Compact agreement which outlines the terms, consistent with federal law, under which the Tribe can operate a gaming facility in Massachusetts.

The Mashpee Wampanoag Tribal Council and the Massachusetts Legislature must vote to authorize the Compact. If approved by both bodies, the Compact will then be sent to the United States Department of the Interior for final approval.

"This is a good deal for everyone," said Governor Patrick. "This Compact balances the interests of the Commonwealth with the inherent rights of the people of the Mashpee Wampanoag Tribe. If this Compact is approved, it will allow the Mashpee Wampanoag to open a unique facility that is governed and regulated by the Tribe itself, in partnership with the state. I thank the Tribe for their good faith negotiations to reach an agreement that is in their best interests as well as those of the Commonwealth."

The Commonwealth and the Mashpee Wampanoag negotiated the Compact over the course of several months. As a tribal government, the Mashpee Wampanoag is not subject to the recently passed 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:

- A newly formed Tribal Gaming Commission (TGC) will be the primary regulator of the Facility's gaming operations, subject to oversight and concurrent regulation by Massachusetts Gaming Commission (MGC) and National Indian Gaming Commission (NIGC).
- The Indian Gaming Regulatory Act (IGRA) authorizes a tribe to conduct any gaming that is legally authorized in the state. Therefore, the Compact authorizes the Mashpee Wampanoag Tribe to operate casino-style ("Class III") games allowed elsewhere in the Commonwealth, excluding live horse racing.
- The Compact agrees that the tribal facility will be non-smoking.
- The Compact includes a revenue allocation equal to 21.5 percent of gross gaming revenue from the Tribe to the Commonwealth. This allocation will address the impact costs of a new facility and is agreed to in consideration of concessions made by the Commonwealth.
- The Commonwealth will distribute any revenue allocation in a manner consistent with the Expanded Gaming Act, including dedicating funds for mitigation in communities affected by a casino.
- The compact is for a 15-year term, with an automatic renewal for an additional 15-year term unless either party provides notice for modification or nonrenewal.

The Commonwealth agrees in the Compact to several concessions to the Tribe. First, the Commonwealth agreed to enter into the Compact before the Tribe's federal land-in-trust process was completed, and will advocate for Compact approval by the Legislature and the Secretary of the Interior. The Administration will also actively support the Tribe's pending land-in-trust applications for Taunton and Mashpee.

The Compact also advances the Commonwealth's stated priority of regional economic development while protecting public safety and public health, ensuring strong regulatory oversight, supporting host and surrounding communities and providing quality employee benefits. The compact includes the following additional provisions:

- The Commonwealth is granted jurisdiction and may prosecute under its laws and in its courts any violations of its gaming laws, other crimes against the facility's gaming operations or any other crimes occurring at the facility, just as it can for

commercial facilities.

- The Tribe agrees to contribute to the Public Health Trust Fund.
- The Massachusetts Gaming Commission will have the right to inspect the facility, all gaming activity and all related records.
- The Tribe has agreed to an inter-governmental agreement with the host community to mitigate the impact of the facility's construction.
- Pursuant to federal law, the Tribe must conduct an Environmental Impact Study (EIS) under NEPA, which includes a comprehensive analysis of the environmental, infrastructure, educational, cultural, social and economic impacts of the facility on the region.
- The Tribe must consent to jurisdiction of the agencies responsible for enforcing the state worker's compensation and unemployment insurance laws.
- The Tribe will provide employees with health care benefits that meet or exceed standards set forth in state health care laws.

The Mashpee Wampanoag Tribe has identified Taunton as a location for a gaming facility and reached an agreement with the City that was approved by voters in June. Before a facility can open at the location, the Tribe must have land placed in-trust with the U.S. Department of Interior.

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. The compact must be negotiated and ratified by the Legislature by July 31, 2012. If those requirements are not met, the Massachusetts Gaming Commission is required to put out to bid a commercial license for the facility.

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