



## 23RD NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

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### **Gaming Compact passes New Mexico State Senate**

*Compact to be considered by the New Mexico House*

**SANTA FE, N.M.** – The New Mexico State Senate on Wednesday approved the Navajo Nation’s proposed Gaming Compact with 35 supporting votes and seven opposing. The Compact will now be forwarded to the House for consideration.

Prior to the vote, several state senators raised questions and concerns over potential claims due to injuries or deaths due that may occur in a casino or after a patron has left the casino, such as an alleged drunk driver causing an accident after leaving a casino bar. Similar concerns had recently been raised by the New Mexico Trial Lawyers Association during the Committee on Compacts on Feb. 28.

In response, Speaker LoRenzo Bates stated, “The safety and welfare of all individuals who visit the casinos is a critical priority.”

Under this Compact, any tort claim, by visitors to a casino can be brought against the Navajo Nation in State Court, Tribal Court or Arbitration at the election of the injured visitor.

However, the Navajo Nation allows for any tort claim whether caused in a casino or at the proximate cause of the Tribe or its entities such as the Navajo Nation Gaming Enterprise, can bring a claim against the Navajo Nation, in the Courts of the Navajo Nation.

The Navajo Nation has a very sophisticated Court system with 11 district courts and the Navajo Nation Supreme Court.

In addition, the Navajo Nation currently carries an insurance policy for any personal injury and/or property claims filed against the Navajo Nation, including its casinos.

“In the example given today, in which a casino patron is over-served alcohol and drives onto a State highway and kills or injures another individual, it’s important to know that the individual injured or killed by the drunk driver can file a claim against the drunk driver, or against the Nation or casino,” Speaker Bates added. “Those injured persons can find relief and a remedy”

“Regarding the service of alcohol within casinos, the Navajo Nation has very strict regulations regarding the use, distribution and service of alcohol, a concern that is not one-sided. The Navajo Nation takes every precaution to avoid any abuse of alcohol in casinos,” added Speaker Bates.

The current Compact, which the Nation signed onto in 2003, is set to expire on June 30. In 2014, the Navajo Nation’s three gaming facilities generated nearly \$80 million, while providing

approximately 755 jobs and contributed approximately \$6.3 million to the State of New Mexico through revenue sharing.

Along with the Navajo Nation, the Jicarilla Apache Nation, Mescalero Apache Nation, Pueblo of Acoma, and Pueblo of Jemez are also included as part of the proposed Compact.

Each tribe has requested timely approval of the Compact by the state legislature due to time constraints that also require approval by the Governor and the U.S. Department of the Interior.

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