

## Kansas tribe opens casino, discounts legal challenge

KANSAS CITY, Kan. (AP)—It took 11 years, but the Oklahoma-based Wyandotte Nation finally opened its downtown 7th Street Casino on Thursday night.

Whether it stays open is still unknown as state officials continue to pursue a decade-long legal fight.

Standing before a packed house, Chief Leaford Bearskin conducted a pipe ceremony and then joined Mayor Joe Reardon in cutting the ribbon and welcoming guests into the former

Masonic lodge that has undergone a \$20 million facelift into a 1920s-themed speakeasy.

"Being here tonight, it makes me feel like I'm coming home," Bearskin told the crowd, noting the tribe first came to Kansas in 1843. "We want to welcome you to our casino," he said, adding with a smile, "When you come \_ bring money."

The nation opened a more-limited casino on the site in 2004, housed in a series of mobile homes. That operation was raided and quickly closed by state and

local law enforcement, claiming the tribe had no right to offer gambling on the property.

While a federal appeals court sided with the Wyandotte Nation last fall, state officials said Thursday they still believe the casino is illegal.

"We think it's somewhat irresponsible to be opening this casino when there are questions that are still pending on the legality of the gambling operation," said Mike Leitch, deputy Kansas attorney general for civil litigation.

The tribe's attorney, David

McCullough, has denied that a legal challenge is still pending.

But Thursday was a night to celebrate for tribal members who have planned a casino for the site since buying the former Scottish Rite temple and surrounding half-acre of land in 1996.

"We're very glad to get to this point," said Second Chief Billy Friend. "It's been very frustrating. We feel like we've always followed the rules and we were the only ones doing that. It was very satisfying."

The three-story building,

which also includes a steakhouse, features around 400 Class II wagering games, which play like slot machines but pit players against each other in networks based on bingo odds.

The Class II is a limitation of federal Indian gaming laws, but Friend said the tribe has sought formal negotiations with Gov. Kathleen Sebelius for a compact that would allow regular Class III slot machines and table games. Sebelius has said she wouldn't consider the compact until the legal issues are resolved.

The state contends that the money the tribe used to buy the land wasn't allowed for such purposes, disqualifying the land for a casino.

The 10th U.S. Circuit Court of Appeals in October ruled that a legal challenge of the casino came after the land had been placed into trust by the federal government on behalf of the tribe, thereby insulating the government from the state's lawsuit and leaving the federal courts with no jurisdiction. The three-judge panel agreed and dismissed the case.

## Iowa casinos on pace this year for record revenues

JOHNSTON, Iowa (AP)—Iowa's casinos are making money at a record pace, though analysts are concerned that most of the facilities are seeing flat or declining revenues this fiscal year.

Iowa's 17 state-licensed facilities—three race tracks and 14 riverboat casinos—collected \$700 million in adjusted gross revenues from slot machines and table games in the first half of fiscal 2008.

The number represents a \$43.1 million increase from the same July-December period a year ago and puts the industry on pace to break the record \$1.32 billion set last year.

Meanwhile, 12 of the facilities are seeing reduced or stagnant revenues, raising concerns that the Iowa gambling market may be topping out.

The revenue at three Iowa tracks was down \$4.6 million for the first six months of fiscal 2008, and nine riverboats posted fi-

nanial numbers in the red.

Overall, however, receipts at Iowa's riverboat casinos are up by nearly \$47.4 million this year, according to figures compiled by the state Racing and Gaming Commission.

The big reason for the increase has been Iowa's newest or upgraded casinos, including the Isle Casino & Hotel in Waterloo, which generated nearly \$38.7 million since opening in late June.

The Riverside Casino & Golf Resort, south of Iowa City, posted a \$15.2 million increase in the July-December period over the previous year, which included only four months of business after the facility opened on Labor Day weekend in 2006.

"Those all have elevated the totals as to why we're 7 to 8 percent up," said Jack Ketterer, administrator of the state Racing and Gaming Commission. "If you removed the gains from those facilities and looked at the rest, they're flat or down."

Iowa also has three casinos operating on American Indian land near Tama, Sloan and Onawa that are not subject to state regulation.

The Racing and Gaming Commission has put off any decision until March on whether to accept more applications for state gaming licenses. The hope is to have enough time to study the financial impact of new casinos on existing operations.

Commission Chair Kate Cutler of Council Bluffs said the panel plans to allow interested communities—most notably Ottumwa, Fort Dodge and Tama—to make their cases at the March 6 meeting for expansion.

"The real question is whether we feel we've reached the saturation point," she said.

Cutler said the commissioners may order another economic impact study if

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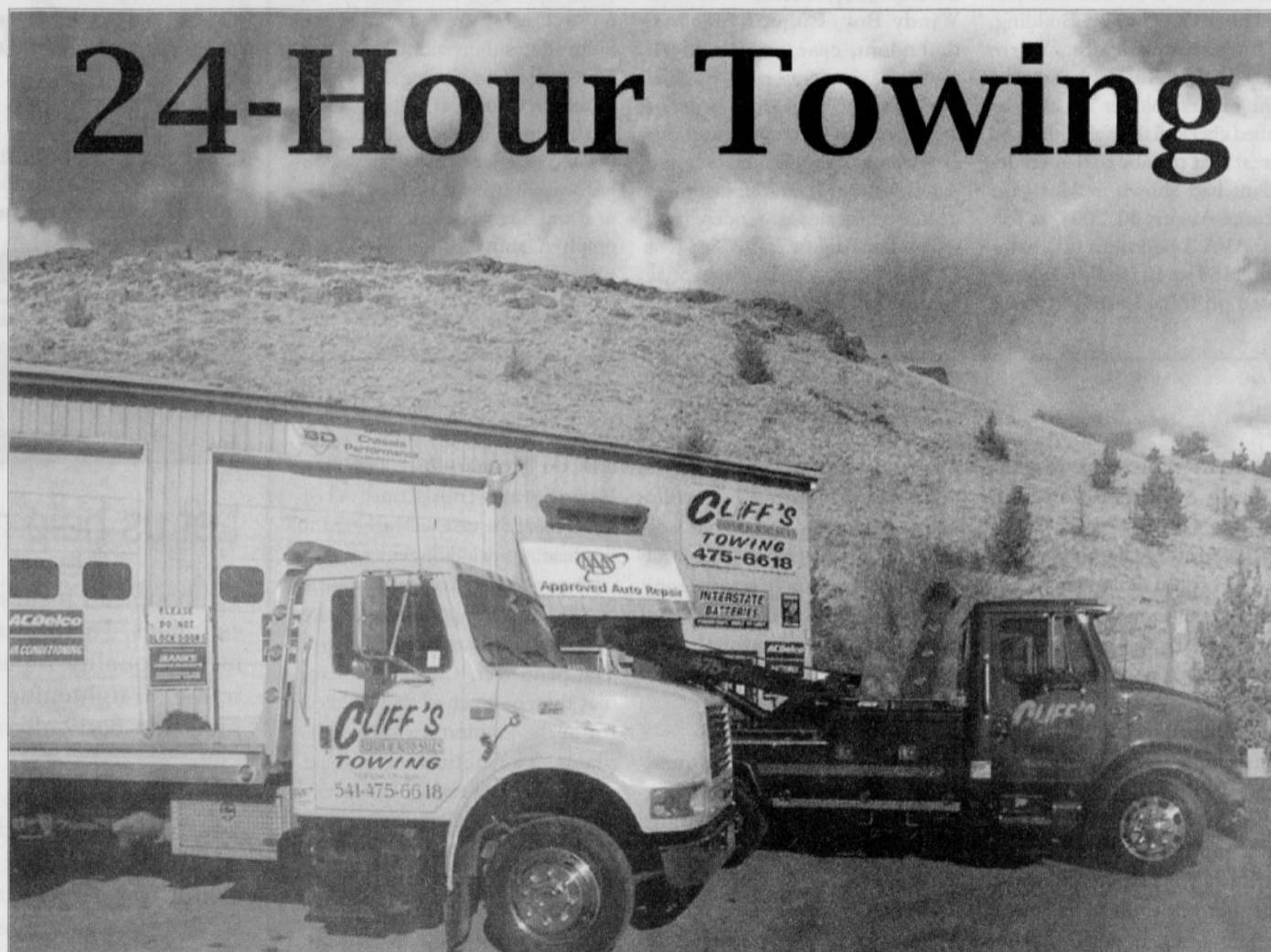
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