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## Court won't revisit ruling on tribal gambling pact

BY MARY ELLEN KLAS

The Florida Supreme Court voted 6-1 late Thursday to deny a request by Gov. Charlie Crist and the Seminole Tribe for another shot at arguing the case that threw out the state's multimillion-dollar gambling compact over slot machines.

The ruling makes final the high court's July decision invalidating the agreement signed by the governor that allows the tribe to operate Las Vegas-style slot machines and banked card games at its seven casinos in exchange for paying the state at least \$100 million a year.

The court said Crist unconstitutionally exceeded his power last year because the agreement expanded gambling by allowing the Seminoles to offer blackjack and other card games that are not authorized in Florida. Absent a valid agreement, it is now up to the federal government or the Florida Legislature to decide whether the Seminoles can continue to operate the games.

Justice Fred Lewis was the dissenting vote in the one-page ruling. Lewis had dissented in part in the original ruling, arguing that the method House Speaker Marco Rubio used to challenge the deal opened the door to a stream of lawsuits by anyone who alleged a constitutional officer was exceeding his authority.

Rubio asked the court in his July brief to "deny the motion as soon as possible so that the responsible authorities can begin the difficult tasks of giving effect to the Court's decision."

Seminoles attorney Barry Richard said the tribe has no intention of stopping the games because they believe they are operating legally under federal law. The state has said it has no authority to stop the tribe because it is a sovereign nation, and the federal government has shown no interest in stepping in to resolve the dispute.

"The Seminoles are going to keep doing what they're doing, and no one is going to stop them," said Chris Kise, a former top aide to Crist who represented him in the case. "The only real question is: Will Florida benefit from the gambling activity which will continue into the future?"

Another option is for the Legislature to ratify the compact agreed to by Crist. But Republican legislative leaders have said they are reluctant to do that.

"The Legislature will decide what the next step is," Richard said.

Until then, the tribe is likely to continue its casino games without any obligation to give the state any revenues from its gambling empire worth more than \$1 billion.