

State Sen. Russell Pearce, never shy of controversy, has entered the fray over the Tohono O'odham Nation's proposed casino and resort near Glendale.

The Mesa Republican wants to join a lawsuit against the U.S. Department of Interior that seeks to reverse its July decision to designate the 54-acre site as a reservation, potentially paving the way for gambling.

Glendale, the Gila River Indian Community and five Gila tribal members already are part of the lawsuit filed in U.S. District Court last month.

Pearce says he offers a perspective different from them as a legislator and supporter of state's rights, citing his sponsorship of SB1070, the contentious law passed last spring that grants Arizona greater power over federal immigration enforcement.

"Senator Pearce is concerned that the existing plaintiffs may not adequately represent his interests," his filing argues.

Scott Bundgaard, a Surprise-area state Senate candidate in District 4, filed a petition nearly identical to Pearce's on Monday prepared by the same lawyer. Bundgaard says his experience as a Peoria property owner and former legislator qualifies him to join the lawsuit against the federal government.

"As a Peoria property owner, Mr. Bundgaard faces injury because the contemplated development would have negative and far-reaching impact on public safety and would result in erosion of the tax base," the filing contends.

The Interior Department and Tohono O'odham tribe disagree. They want the court to keep Pearce out of the case, though they have not yet commented on Bundgaard.

Written by Administrator

Wednesday, 20 October 2010 14:26 -

---

The federal agency argues Pearce must prove he would be personally affected and warns that allowing him to participate would slow down the case.

"Under his reasoning, each of the thirty state senators and sixty members of the house-not to mention their staffers-would have a right to intervene in this case," the Interior Department states. The court would have to consider "the viewpoints of countless individuals."

The Tohono O'odham tribe says Glendale, Gila River and the Gila tribal members already share Pearce's goal of preventing the land from becoming a reservation.

"His interests are adequately represented," the Tohono O'odham argue.

Glendale, which worries about losing tax revenue and planning control over the site, and Gila River, whose casinos are closest to the West Valley site, have not objected to Pearce or Bundgaard joining the case.

Pearce, in a press release, cast his fight as a struggle against President Barack Obama, a battle for democracy and a stand against the U.S. Interior Department "dismantling" the state's voter-approved gaming compact if it allowed the Tohono O'odham casino.

Tohono O'odham leaders maintain the proposed casino would not violate the state compact, which allows the tribe to open another casino.

But Pearce called it "an outrage that in America today the federal government can swoop in, crush the states' rights to dictate what happens in their boundaries, and ignore the will of Arizona voters."

"Obama has apparently decided that in this family of the United States, Arizona is the black sheep and he will stop at nothing to crush anything the good people of Arizona want," Pearce said in the written statement.

## Sen. Russell Pearce wants to join Glendale casino lawsuit - AZ Central.com

Written by Administrator

Wednesday, 20 October 2010 14:26 -

---

[Powered by WizardRSS](#) | [Full Text RSS Feeds](#)

**Source:** <http://news.google.com/news/url?sa=t&fd=R&usg=AFQjCNGZ9BHswrNw-g2jhtQfCtzhIF-a7w&url=http://www.azcentral.com/community/glendale/articles/2010/10/20/20101020glendale-casino-russell-pearce-lawsuit1021.html>