

Poarch Creek casinos flourish with AG's help

Written by News Desk

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By [BOB MARTIN](#)

A new national gaming report shows that revenue from Poarch Creek Indian gambling in Alabama is growing by record numbers, while revenue from non-Indian gambling keeps falling.

The report in the North American Gaming Almanac backs up what the general public can see firsthand: crowded Poarch Creek Indian casinos and nearly empty buildings at VictoryLand that now can offer only simulcast races.

The report shows that total gambling revenue in Alabama, including dog tracks and casinos, grew by 25 percent in 2011. That was the biggest increase of any state. It was fueled by Indian gambling operated by the Poarch Creek Tribe. Indian gambling revenue grew by 26.4 percent in 2011, with Alabama leading the nation for the fourth year.

The almanac's editor-in-chief was quoted this week as saying that because Indian casinos don't fall under state law, the Poarch Creeks have benefited from Alabama's shutdown of VictoryLand in Shorter.

VictoryLand, with a combination of dog track and electronic gambling, once had the largest operation in the state with over 6,000 machines. That was before State Attorney General Luther

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Strange raided the racetrack just east of Montgomery, shutting its doors.

Where did those gambling machines go that were deemed illegal by AG Strange? They were delivered by the folks who owned them directly to the the five non-Indian casinos in Green County and to some of the Poarch Creek casino buildings. Green County has now added a sixth casino using electronic bingo machines.

So what did I just say? Perhaps I can be clearer. Our Attorney General oversaw the removal of gambling devices he deemed in violation of Alabama law from one location in Alabama for use in other locations in Alabama.

My question to Mr. Strange is: Have these machines now been cleansed of their illegality by moving them out of Macon County, where they permitted employment for some the poorest of our citizens in Alabama, and taken to another Alabama location that has six non- Indian gambling operations? Are those operations legal, Mr. Strange?

The fact is that the machines at VictoryLand are not illegal in Alabama. An amendment to Alabama's constitution clearly permits Macon County to have "all types of bingo," which is in pretty clear language to my thinking. I suppose they could even have it played in the dirt, where I used to shoot marbles as a kid.

The Gaming Almanac does not publish dollar figures for some Indian gambling operations because of confidentiality agreements, but its latest Indian Gaming Industry Report notes that four states where tribes rely primarily on electronic bingo machines — Alabama, Alaska, Nebraska and Texas — had \$531.8 million in revenue in 2011. Alabama accounted for 4,200 of the 6,631 electronic games and none of the 12 table games in those four states.

Non-Indian gambling, according to the report, was a different story. Non-Indian operations, primarily dog tracks, had wagering revenue of \$17 million in 2011. That was a decline of 2.4 percent from the prior year and a continuation of a downward trend that has been going on since 2000, when they had \$25 million in revenue.

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I kind of thought we were all supposed to be treated equally under the law. I guess that's not so in Alabama.

Former lawmakers and lobbying

State Sen. Del Marsh, the Senate's Pro Tem, is offering legislation that he says will strengthen the law which now prohibits a legislator who leaves office from lobbying the chamber in which he served for two years.

Marsh's bill would prohibit such lobbying in either house of the Legislature. His legislation states that no member of either the Senate or House "shall be extended privileges of either body in a lobbying capacity." That extends to boards, agencies, commissions, departments or boards to which an official is elected.

This no, doubt, will strengthen the rule somewhat. However, it doesn't forbid former legislators from being paid lobbyists. They just can't go on the floor when either body is in session or to legislative committees and do so.

It has been my observation over the years that most lobbying is done after hours in the bars and restaurants or private clubs in Montgomery. By the time lawmakers convene at the Capital, they will have already been "wined and dined."