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Hard times boost odds for gaming

By Mark Lane

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It is a political truth universally acknowledged that, when times are bad, Florida expands gambling. Regret is an emotion reserved for flush times.

Well, times are officially bad. Tourism is down. Gas is above \$4 a gallon. Schools, local governments and private businesses are laying people off. And expanded gambling, otherwise known to politicians as "free money," looks tempting.

Right on cue, the Florida Lottery announced last week it is joining the multi-state Powerball lottery. Last week, too, the Florida Supreme Court voided the state's Seminole casino compact. It's a move that would seem on the surface to hold off casino gambling but could end up opening the door to more gambling in more parts of the state.

Both events have long back-stories.

One of the first decisions former Gov. Jeb Bush made upon becoming governor in 1999 was to rescind the late Gov. Lawton Chiles' go-ahead for Powerball. Bush argued that Powerball could end up hurting the state lottery. Many people still think that. Some of them are in the Legislature.

The thing that's changed is that state lottery sales are flat because consumers are cutting back. The governor and lottery officials now feel desperate enough to take a chance on Powerball.

It's said that lotteries are taxes on people who don't get probability. The odds of winning Florida Lotto are 1 in 23 million. Powerball odds: 1 in 146 million. Both numbers are too astronomical for people to grasp intuitively, so the difference seldom deters customers.

The numbers players do focus on? The last Powerball jackpot payout was \$84.9 million while the prize for a six-number, dollar-ticket Florida Lotto game stands at \$9 million. And that's bound to hurt Lotto sales.

The Seminole casino-compact problem, likewise, goes back to the Chiles administration.

Chiles wasn't interested in negotiating with the tribe. Bush wasn't interested in negotiating with the tribe. The federal government, however, expressed exasperation with the state's attitude. The Department of Interior said that if Florida didn't come to an agreement with the tribe, it would write gambling rules of its own. Rules that would cut out the state from getting money or regulating the games. (Florida got no money from Seminole gaming before the compact.)

So here's the paradox: By approving the compact, the governor had made it harder to expand gambling outside the seven Indian sites. The Legislature -- particularly advocates of pari-mutuel gambling -- was outraged, sued and won.

The Florida Supreme Court ruling said the Florida Constitution is vague about separation of powers between the governor and Legislature, but if this doesn't violate it, pretty much nothing else would.

What happens next depends on other court cases and actions of the Legislature, the governor's office and the Department of Interior. Which is to say, nobody knows.

One possibility is that Seminoles could still get new games under a federal OK -- maybe not blackjack, but Vegas-style slots -- and legislators will find ways to expand gambling next session. And the governor is likely to be OK with much of that.

Powerball, video lottery, slots, a casino constitutional amendment . . . it's going to all seem like free money in bad times.