

# Are Canadian First Nations Casinos Providing Maximum Benefits? Appraising First Nations Casinos in Ontario, Saskatchewan, and Alberta, 2006-2010<sup>1</sup>

*Yale Belanger, Ph.D.*

## **Abstract**

To date a dearth of data has made it difficult to evaluate the success of First Nations casinos in Canada. This paper helps remedy this situation by presenting a three-province overview (Ontario, Saskatchewan and Alberta) of First Nations gaming models. Two key findings are offered that First Nations seeking gaming market entry and provincial officials should genuinely consider. First, while each province has adopted a unique approach to First Nations gaming policy they have each opted to direct substantial revenues out of First Nations communities and into their own treasuries. Second, the evidence suggests that larger gaming properties located nearby a significant market provide more benefits versus smaller properties situated in more isolated areas. The subsequent discussion elaborates each provincial model's revenue generating power, how the revenue in question is being allocated and its corresponding socio-economic impact, whether increased problem gambling and crime have resulted as predicted, while exploring employment trends to determine whether they have developed as anticipated.

## **Introduction**

Evaluating the impact of First Nations casinos in Canada has been hampered by a lack of data (cf Cornell, 2008).<sup>2</sup> First Nations leaders in several provinces are nevertheless considering investing in reserve casino expansion. There are currently 17 First Nations casinos operating nationally in B.C. (1), Alberta (5), Saskatchewan (6), Manitoba (2) and Ontario (1 for profit; 2 charity). Initially touted as revenue generators that would employ large numbers of Aboriginal employees thus increasing community benefits, provincial premiers in Ontario, Saskatchewan and Alberta echoed the First Nation leadership's positive testimonials to likewise champion reserve casino expansion as a means of improving local First Nations development potential and well-being. Each provincial government chose, however, to execute policies prescribing revenue

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<sup>2</sup> A First Nation is a self-governing community of Aboriginal people living on a reserve, which is Crown-held land overseen by Aboriginal Affairs and Northern Development Canada (AANDC), the federal "Indian" bureaucracy that operates out of Ottawa. "Aboriginal people" is a Constitutionally-entrenched phrase describing Canada's Indian, Inuit, and Métis peoples. The term "Indian" is used in legislation or policy; it also appears in discussions concerning such legislation or policy, as will proper names of communities used historically and today.

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distribution formulas, restrictions on casino site construction, while most importantly directing casino revenues purportedly earmarked for First Nations communities into provincial treasuries. Despite these setbacks, First Nations leaders in each province remain confident in the reserve casino's potential. Aside from assenting, anecdotal declarations, modest efforts have been directed at exploring each model's exigencies in comparative perspective. This paper represents the first multi-province evaluation of First Nations casinos in Canada and assesses the Ontario, Saskatchewan, and Alberta First Nations gaming models to determine whether First Nations casinos are providing maximum benefits.<sup>3</sup> In particular, the following discussion evaluates the three provincial gaming models' revenue generating power, how the revenue is being allocated and its corresponding socio-economic impact, whether increased problem gambling and crime have resulted as projected, while exploring employment trends to determine their impact. This paper unfolds as follows. After a literature review an overview of each provincial First Nations gaming policy is provided followed by a quantitative analysis exploring the aforementioned subjects, and the conclusions.

### Literature Review

United States Indian nations started utilizing reservation casinos as an economic stimulus in the 1980s. Described as "islands of poverty in a sea of wealth" (Anderson & Parker, 2008, p. 641), as one researcher has noted, reservation communities "[w]ith little or no economy or tax base to fund essential services . . . turned to gaming, through self-determination, to generate government revenue needed to fund these services and provide employment for tribal members" (Schaap, 2010, p. 381). By 2002, over half of all tribal members living in the contiguous 48 states belonged to casino-operating tribes (Evans & Topoleski, 2003) and, in 2008, Indian gaming revenues topped \$26.7 billion with 233 Indian tribes operating 411 casinos, bingo halls, and pull-tab operations in 28 states (NIGA, 2009). Dating to 1996, Canada's First Nations' gaming industry is by comparison diminutive in scope, with 15 for profit and two charitable casinos operating nationally that generate an estimated \$1 billion annual gross revenues. Accordingly, a large proportion of the research literature on casino gambling concerns its effect on US reservations (Williams, Belanger, & Arthur, 2011). Recent studies have, however, improved our collective understanding of these Canadian phenomena (Belanger, 2006, 2011b; Manitowabi, 2007; Williams, Belanger, et al., 2011). Even so, it is difficult to generalize about gambling's inter-jurisdictional impacts for they vary as a function of pre-existing availability and exposure to gambling, the gamblers' patronage origin, how gambling revenue is distributed, and baseline levels of community impoverishment (Williams, Rehm, & Stevens 2011). Therefore, evaluating the US Indian gaming industry in part offers a comparative context and the baseline for further analyses.

Similar to American Indian gaming research, Canadian First Nations gaming research tends to emphasize the economic and sovereign/self-government aspects of casino operations, and gambling-related health and well-being issues. The spotlight on sovereignty and the associated economic development issues is arguably due to three factors. One, American Indian reservations are Congressionally empowered to manage internal economic development, which the Harvard Project on American Indian Economic Development (2008) heralds as a key foundation of augmented American Indian self-determination. Two, gaming tribes since the 1980s have been forced to confront State resistance to negotiating Congress-stipulated tribal gaming compacts (Cattellino, 2008; Fenelon, 2006; Goldberg & Champagne, 2002; Light & Rand, 2005; Rand & Light, 2001; Spilde, 1998). Third, and most importantly, First Nations leaders adopted the American Indian position that operating casinos was a sovereign right (Belanger, 2006; Belanger & Williams, 2012b; Lazarus, Monzon, & Wodnicki, 2006). American Indian and First Nations gaming is therefore heralded as a beacon of

<sup>3</sup> The casino operations in B.C. and Manitoba were left out of this analysis due to their small size and because the data sets generated remain at this stage incomplete. Nova Scotia was left out due to the fact that no stand alone casinos are operation. Rather, the First Nations manage and operate 582 VLTs at a variety of provincial sites dubiously identified 'VLT Palaces'.

Indian sovereignty (Gaughen, 2011; Hansen & Skopek, 2011), whereas Congressional demands for state-American Indian compacts are criticized as an intolerable imposition compromising American Indians' inherent sovereignty (Ackerman, 2009; Light & Rand, 2005; Mezey, 1996; Schaap, 2010; Skopek & Hansen, 2011). Perhaps as troubling is the fact that gaming tribes have little to no recourse in instances where states desire to renegotiate the compacts (Light & Rand, 2005) (Rand 2007; Rausch 2007); or when the provinces refuse First Nations a substantial consultative role during gaming policy development (Belanger & Williams, 2012b).

That we remain largely uninformed about how provincial gaming policies impact First Nations communities and their host provinces is problematic for these policies do notably guide casino operations, highlighting the direct provincial influence upon First Nations economic development (Belanger, Williams, & Arthur, 2012a; Nilson, 2004; Williams, Belanger, et al., 2011). In addition to undermining indigenous sovereignty by allowing the provinces to legislatively penetrate what were previously exclusively federal domains, the provinces hosting First Nations casinos took questionable advantage of economically impoverished First Nations' willingness to accept restrictive provincial policies in their zeal to access gambling revenues (e.g., Belanger & Williams, 2012b). Similar trends are evident in the US, where similarly ad-hoc revenue distribution policies were established that also failed to acknowledge vital spatial characteristics (Foley, 2005; Light, Rand, & Meister, 2004). As a result, despite the fact that hundreds of tribes operate hundreds of casinos, gambling wealth remains concentrated in the hands of a relatively small number of American Indian tribes representing a minority of the overall Indian population (Cornell, 2008; Kalt, 2002).

Kelley (2001) warned Canadian officials of the inherent risks of relying on similar policy models while emphasizing the need to "develop a sound policy framework that will address current concerns [i.e., revenue distribution, problem gambling] before they develop into future problems." He added that policymakers "have an advantage in that the experiences of tribal gambling throughout the US over the past two decades can act as an important reference for developing a policy framework for First Nations casinos." It appears that these warnings were generally ignored, even if Canadian provinces demand as a condition of licensing revenue sharing amongst gaming and non-gaming First Nations as a means of ensuring most First Nations have access to a portion of the revenues (Belanger, 2006). Less encouraging are provincial and state demands that First Nations transfer a percentage of their gaming revenues into state and provincial treasuries (Belanger & Williams, 2012b; Rand & Light, 2006).

Despite these and similar policy failings, it is evident that casino-related economic benefits have not evaded all First Nations and reservations. Several studies point to casino-related increased infrastructure values (Anders, 1996; Farrigan, 2005; Ha & Ullmer, 2007; Snyder, 1999; J. B. Taylor & Kalt, 2005); and benefits for other non-gambling businesses and state economies (Andrews, 2007; Evans & Topoleski, 2003; W. S. Taylor, 2001). However, the economic boon anticipated by the majority of First Nations and American Indian communities hosting casinos has failed to materialize (Belanger, 2011b; Kayseas, Schneider, & Goodpipe, 2010). In instances where revenue distribution models are in place, the majority of communities hosting casinos have also been shown to profit disproportionately over non-host communities (Belanger & Williams, 2012a; Cornell, 2008; J. B. Taylor & Kalt, 2005). For example, substantial improvements have been identified in Arizona and New Mexico's gaming reservations compared to non-gaming communities (Gonzales, Lyson, & Mauser, 2007; Jojola & Ong, 2006). Notable unemployment reductions in host reservations have been noted (Murray 1993; Cozzetto 1995; Cornell et al. 1998) as have noteworthy employment and income gains (Anders, 1996; Conner & Taggart, 2009; Cozzetto, 1995; d'Hautesserre, 1998; Evans & Topoleski, 2003; Fenelon, 2006; Gonzales, 2003; Kim, 2006; Ninokawa, 2002; Reagan & Gitter, 2007; Spilde, Taylor, & Grant, 2003; Topoleski, 2003; Wenz, 2006). Evident revenue distribution disparities resulting from poorly-constructed

provincial and state gaming policies that tend to undermine indigenous sovereignty and development opportunities have not stopped several scholars from concluding that American Indian and First Nations gaming's positives at this stage outweigh the negatives (Cornell, 2008; Schaap, 2010; Williams, Belanger, et al., 2011). This by and large echoes Thompson's (1994) enthusiastic declaration about the Indian casino industry's promise for both the US and Canada (see also Chenault, 2000):

Indian gaming is the future for Native tribes' survival and liberation from the federal governments of the United States and Canada. Without this liberation and autonomy, tribal sovereignty will never become a reality and North American Indians will remain trapped in a cycle of poverty and despair due to the lack of financial support necessary to educate, rehabilitate, and stimulate growth in Indian Country. (Thompson, 1994, pp. 533-534)

As Cornell (2008, 64) laments, however, "it is difficult to know, comprehensively and in detail, how much money Indian nations are making from gaming, what exactly they are doing with the money they make, or what its social and economic impacts are." For example, US Indian casinos located next to large cities are economically quite successful, whereas the geographically removed enterprises typically realize modest returns, trends that are becoming more evident in Canada (Belanger, 2006). One needs to question why state and provincial governments have developed policies that fail to consider these and similar geographic disparities (Belanger, Williams & Arthur, 2012b).

The following analysis of the three provincial First Nations casino models—Ontario, Saskatchewan and Alberta—speaks to several of these issues; shows us how much revenue is being generated and thus directed to First Nations; while helping us to better comprehend how a policy enacted for the benefit of First Nations in three provinces operates, and the political response (or lack thereof) to unanticipated challenges.

### **First Nation's gaming expansion in ON, SK & AB**

State-sanctioned gaming on a reserve is deemed acceptable, but to operate outside of legislative strictures is to defy provincial jurisdiction and risk *Criminal Code of Canada* charges. This has not stopped First Nations leaders from contending that reserve gaming operations are shielded from provincial laws by virtue of Section 91(24) of the *British North America Act* of 1867, which recognizes Canada's sole responsibility for "Indians, and Lands reserved for the Indians." Asked to resolve this question, the Supreme Court of Canada in *R. v. Pamajewon* in 1996 determined that the Shawanaga and Eagle Lake First Nations in Ontario did not possess an Aboriginal right to control and regulate casino gaming in their reserve communities. The Court determined that the litigants failed to demonstrate gaming's centrality to Ojibwa culture or its practice as connected to "the self-identity and self-preservation of the aboriginal societies involved here" (*R. v. Pamajewon*, 1996). Concluding that gaming was not an Aboriginal right, the Supreme Court determined that on-reserve gambling facilities were not exempt from provincial legislation regulating gaming. As a result each province may devise its own regulatory framework for First Nations casinos. In turn *sui generis* policy environments and on the ground gambling industries have emerged that demonstrate unique similarities and differences. The following discussion elaborates these similarities and differences while establishing the key policy markers guiding the evolution of First Nations gaming in each province.

#### ***Ontario***

In 1992, in response to discussion with Ontario First Nations leaders, Premier Bob Rae (NDP) announced his intention to open a reserve casino. By February 1994, fourteen provincial First Nations had their sights set on hosting the casino that would, according to provincial officials, distribute profits to the province's First Nations through a First

Nations fund. On 5 December 1994, Premier Rae announced that the Mnjikaning First Nation had been selected as the site. Casino Rama would be situated on First Nations land—the Mnjikaning reserve—and would be run by an established corporation during its first ten years of operations. A request for proposals stipulated that the operator's costs prior to construction would include the construction of a recreational facility, a senior's home, and the establishment of a trust fund to develop a gambling addictions program. The Mnjikaning proposal was considered the most attractive for a number of reasons, the most important being the revenue-sharing formula, which would see 65% of net revenues divided among the province's 133 First Nations. The remaining 35% would stay with the Mnjikaning First Nation to deal with increased traffic's impact on reserve infrastructure and to ensure programs for problem gaming in the community were funded. Following the announced opening date, the Progressive Conservatives (PC) defeated the NDP and immediately imposed a 20% Win Tax on Casino Rama gross revenues.

### ***Saskatchewan***

In 1993, the Federation of Saskatchewan Indian Nations (FSIN), the provincial Indian political representative body, approached Premier Roy Romanow (NDP) to discuss reserve casino construction. From the premier's perspective, the FSIN's inability to speak on behalf of the majority of the province's First Nations, tribal councils, and individual band councils rendered the organization less than effective. Negotiations, nevertheless, proceeded and in 1995 the Gaming Framework Agreement (GFA) and the Casino Operating Agreement (COA) were implemented. The Saskatchewan Indian Gaming Authority (SIGA) was established as a First Nation-operated oversight agent. At the GFA's center was the revenue-sharing formula, including a set of guidelines delineating how the revenues were to be spent by recipient First Nations. Specifically, the provincial government would receive 37.5% of net revenues, 37.5% would go to the First Nations Trust for community distribution in the form of social programs, economic development and infrastructure development and upgrades, whereas the residual 25% would be allocated to four provincial Community Development Corporations (CDC). Each CDC was created to aid in distributing one-quarter of the net profit share pursuant to the Framework Agreement in an effort to: (1) stimulate First Nations economic development; (2) fund reserve justice and health initiatives; (3) finance reserve education and cultural development; (4) improve community infrastructure; and (5) develop senior and youth programs and other charitable purposes. Each CDC was recognized as a corporate body with a board of directors (Nilson, 2004). The Saskatchewan government, in 2007, lowered its share of First Nations gaming revenues from 37.5% to 25% while raising the overall First Nations share of profits to 75%. The revised revenue sharing agreement has led to improved First Nations development, which is directly attributable to an infusion of gaming revenues. As of 2013-2014, SIGA is successfully operating six casinos.

### ***Alberta***

In 1993, the Tsuu T'ina First Nation (southwest of Calgary) and the Enoch Cree First Nation (west of Edmonton) were awarded licenses to hold super-bingos that guaranteed jackpots exceeding \$10,000. That year, the Tsuu T'ina turned a \$100,000 profit, which led to immediate calls from provincial First Nations leaders to create an independent First Nations Gaming Commission (Stewart 1993). First Nations leaders advocated for a policy model ensuring all bands would benefit equally from any reserve casino developments. As early as 1996, a plan was tabled that would have allocated 10% of First Nation casino profits to a fund benefitting the province's First Nations, while the First Nation, or the management company running the casino, would receive 50% of the profits. Alberta's licensed charities would receive the remaining 40% (Williams, Belanger, et al., 2011). First Nations balked at the proposal.

In September 2000, Premier Ralph Klein (PC) proposed a new policy that would allocate all reserve casino profits to the provincial First Nations and, in December, he announced his support. First Nations were pleased and, one month later, on January 21, 2001, the FNGP was ratified. It did contain one unanticipated modification: a proviso directing 30% of all First Nations casinos' slot machine revenues to the Alberta Lottery Fund for provincial charitable use (Belanger & Williams, 2012b). Without publicly acknowledging the 30% proviso's inclusion, the FNGP, provincial officials claimed, would afford First Nations the opportunity "to support economic, social and community development projects as well as use charitable gaming proceeds for initiatives such as infrastructure and life skills training" (Belanger, Williams, & Arthur, 2011).

Table 1  
*Key Provisions of Each Provincial First Nations Casino Policy*

	Ontario	Saskatchewan	Alberta
Outside Casino Operator Required	*		*
Revenue Sharing Agreement	*	*	*
Provincial Fee from Casino Revenues	*	*	*
Casinos Licensed as Charities			*
Provincially-prescribed Use of Casino Revenues	*	*	*
Problem Gambling Funding Allocated		*	
Ad hoc approach to policy evident	*	*	*

In each case the provinces leveraged their Criminal Code of Canada-assigned authority to approve casino licenses and fashion First Nations gaming policies reflecting provincial desires. From a provincial perspective, reserve casinos were never considered products of, nor did they represent elements of Aboriginal self-government. As Belanger and Williams (2012) have argued in the Alberta context, which appears to extend to Ontario and Saskatchewan, each provincial government has exploited its Criminal Code authority by demanding concessions and, thus, prescribing negotiated outcomes much to the annoyance of First Nations' battling for recognition of what they argue is an inherent Aboriginal right to control reserve gaming (see also Belanger, 2006, 2011a; Manitowabi, 2011). Certain provisions permitted each province to dictate through internal oversight policies how First Nations could spend their revenues as well as the guidelines to releasing the provincially held casino revenues. Alberta and Ontario demanded outside casino operators be brought in whereas Saskatchewan permitted the FSIN to establish SIGA for those purposes. As the above discussion illustrates, despite being negotiated independently of one another, the provincial policies, when compared, are operationally similar (see Table 1). The policies were established to ensure provincial oversight for First Nations casino operations, spending, and provincial development through imposed contributions to provincial coffers. These actions guaranteed that the provinces retained centralized authority for regulating First Nation casino operations while simultaneously restricting First Nations economic and political agency. Each provincial approach innovatively enabled their respective gaming bureaucracy's expansion during a period of economic reforms by assigning to First Nations annual fees for the privilege of operating casinos.

**Methodology**

The first step in a socioeconomic impact analysis of gambling is to document how much money is actually being expended, received, and disbursed, as this serves as a rough guide of the potential magnitude of these impacts, especially the economic ones. This data was compiled from the following sources. For Alberta they were: Alberta Gaming and Liquor Commission (AGLC) annual reports and the Alberta Lottery Fund website, which lists the details of all First Nations Development Fund (FNDF) disbursements; FNDF revenues and their utilization were obtained from the AGLC’s public website, Alberta Lottery Fund: Who Benefits. The primary source from Ontario was the Ontario Lottery and Gaming Corporation (OLG) annual reports. For Saskatchewan the annual reports of the Saskatchewan Indian Gaming Authority (SIGA), the Indigenous Gaming Regulators (IGR), and the First Nations Trust (FNT) were utilized. Where applicable and verifiable chief and council members’ perspectives obtained from transmitted and/or printed speeches, interviews, and testimonials and, where available, community newsletters are used to provide context. First, newspaper and electronic media sources (e.g., radio and television news reports, YouTube) were reviewed for relevant information regarding community-based projections for each project. In each case, multiple newspaper sources were employed to confirm the data. For referencing, the publication in which the data was first printed was selected. Third, Indian and Northern Affairs Canada (INAC) data detailing band council budgets and expenditures were utilized. In sum, the various data sources provide the baseline data needed to evaluate the respective casinos’ impacts.

**Analysis**

The following sections are distilled from the data gleaned from the aforementioned reports and websites. As Figure 1 shows, Ontario appears to be the leader both in terms of gross and net First Nations gaming revenues generated for the period 2006-2010. The following sections elaborate on these trends in more detail.

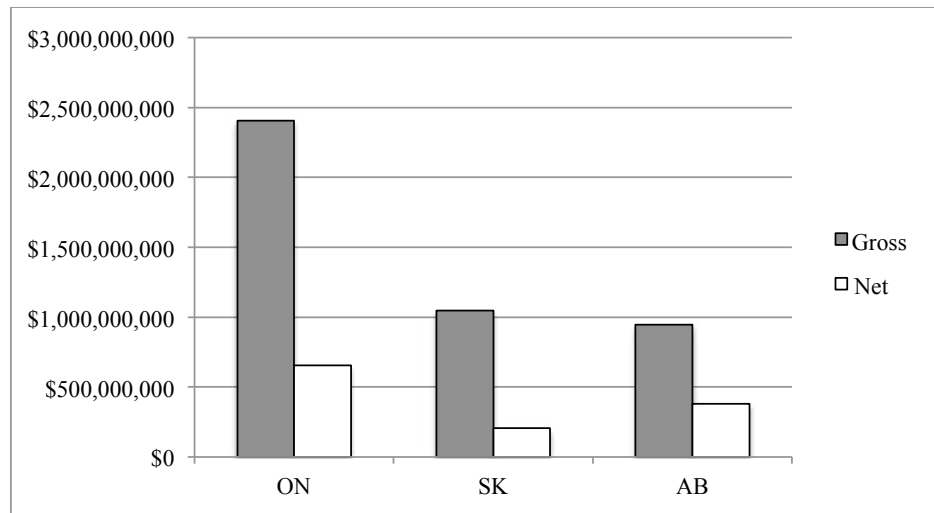


Figure 1. First Nations Casinos Gross and Net Revenues, 2006-2011

*Gambling Revenues Generated*

The amount of revenues generated differ by province. As highlighted by Figure 1, between 2006-2011 Casino Rama generated more than \$2.4 billion in gross revenues followed by Saskatchewan at more than \$1.046 billion and Alberta with more than \$947 million. Alberta’s five casinos were not fully operational until 2008-2009, hence reviewing the last three years is a better approximation of First Nations annual revenue

generating power: in terms of gross revenues generated Ontario at \$1.39 billion, outpaces Alberta and Saskatchewan, which produced similar gross annual revenues (\$773 to \$725 million).

Table 2  
*Gross Revenues, 2006-2011*

	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011	Total
Ontario	\$515,000,000	\$499,000,000	\$488,000,000	\$467,500,000	\$434,965,000	\$2,404,465,000
Saskatchewan	\$130,337,810	\$190,965,435	\$226,765,170	\$238,746,929	\$259,821,502	\$1,046,636,846
Alberta	\$33,745,555	\$141,022,473	\$253,835,015	\$262,086,233	\$257,050,973	\$947,740,248

These revenue figures are a good starting point but do not provide a definitive picture. Measuring the net revenues generated in each province offers a better assessment. For instance, between 2006 and 2011 Ontario generated the highest level of net revenues followed by Alberta and Saskatchewan. When we factor in the anticipated annual revenue production reflective of the last three years of full functionality in Alberta the latter closes the gap earning \$309 million compared to Ontario at roughly \$380 million and Saskatchewan at more than \$207 million.

Table 3  
*Net Revenue, 2006-2011*

	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011	Total
Ontario <sup>1</sup>	\$140,595,000	\$136,227,000	\$133,224,000	\$127,627,500	\$118,745,445	\$656,418,945
Saskatchewan	\$48,836,918	\$61,106,749	\$67,220,171	\$60,240,739	\$64,094,171	\$301,498,748
Alberta	\$13,498,222	\$56,408,989	\$101,534,006	\$104,834,493	\$102,820,389	\$379,096,099

It is apparent that each provincial First Nations casino industry has generally achieved a revenue plateau. As Table 3 demonstrates after four consecutive years of rising net revenues Alberta experienced a 1.9% drop in net revenue in 2010-2011. While Saskatchewan rebounded by 6.4% after experiencing its first drop in net revenues following several consecutive years of growth. Ontario has witnessed a steady 15.5% decline during the study period. These general outcomes tend to echo each province's economic trends during the study period. For example, simultaneous to Alberta's economic expansion Ontario experienced a decline as Saskatchewan generally maintained economic equilibrium (substantial provincial economic growth began in 2011). This levelling off and drop in gross revenues in the two largest jurisdictions may also point to drops in gambling participation rates due to exposure (e.g., Shaffer, LaBrie, & LaPlante, 2004). Evidence from Alberta demonstrated that with time gambling participation rates drop because the novelty has worn off, and due to population familiarity with the product (Williams, Belanger, et al., 2011).

In terms of absolute revenue generating clout Ontario substantially outpaces both Alberta and Saskatchewan. Things change, however, when we measure the net revenues generated in each province: Ontario just slightly outpaces Alberta in this regard while drastically outperforming Saskatchewan. For now we can basically conclude that the Saskatchewan approach reliant on a operating a number of smaller to middling sized casinos is the least economically successful model.

#### *Community Revenue Allocations*

In each case the provinces agreed to negotiate First Nations casinos into existence for the purposes of offsetting socio-economic difficulties confronting all reserve communities. It is consequently incumbent to determine the First Nations' casinos general impact by

<sup>1</sup> The Ontario figures are based on figures reported by the Canadian Press (CP) indicating that Casino Rama realized a \$1.5 billion profit on roughly \$5.5 billion in revenues from 1996-2010, which amounted to a 27.3% profit margin (see Perkel, 2011). The yearly figures provided are based on this percentage. These totals do not include the slots revenue generated at the Lake Scugog charity casino, which, during this period, produced on average roughly \$4.6 million annually.



assessing the average amount of revenue assigned to the benefactor communities, and how this revenue is generally being utilized. According to the 2006 Canada Census, which occurred at the beginning of the study period, there were 133 First Nations in Ontario, 70 in Saskatchewan and 45 in Alberta. Each of these communities is included in their respective provincial-First Nations revenue-sharing agreement. Reflecting on the last three years of the study period (dating to 2008), Alberta directed an annual average of \$2.34 million to the provincial First Nations followed by Ontario (\$951,371) and Saskatchewan (\$912,167).

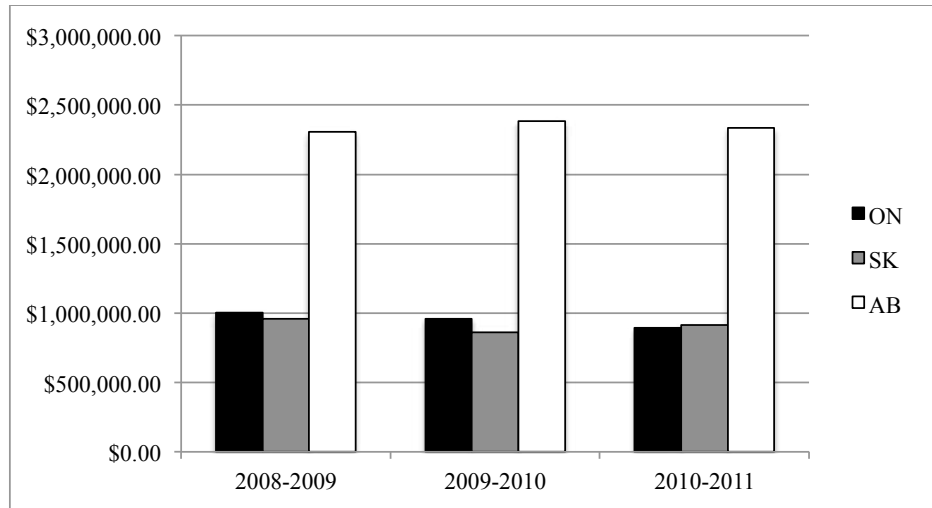


Figure 2. Per Community Casino Revenue, 2008-2011

Consequently, it would appear that the Alberta First Nations are benefitting more than their Saskatchewan and Ontario counterparts. Relying exclusively on these averages is not recommended, for according to each provincial-First Nations revenue sharing agreement individual First Nations communities are privy to a pre-determined level of revenue based on a varied set of factors that include community population size, their geographic placement, whether or not it is considered a host operation, and the total number of provincial First Nations, to identify four elements. As a result, not every First Nations is entitled to an equal share of casino revenues. When we compare Saskatchewan and Alberta, as outlined in Table 4, it appears the former ensure a more equitable distribution of funds. Unlike Alberta’s revenue distribution model that privileges southern over northern First Nations, Saskatchewan parcels out its casino revenues more equitably (comparable data was not available from Ontario) (Belanger et al., 2012). Part of the reason for this disparity has to do with the fact that Alberta First Nations hosting casinos (two are located in the south and three are located in the central region) are entitled to a higher proportion of revenues generated. Alberta has developed First Nations policies that manufacture regional economic disparity by privileging some First Nations over others (Belanger, Williams, & Arthur, 2012b).

Table 4  
Regional Revenue Variance, Alberta & Saskatchewan, 2006-2010

		2006-2007	2007-2008	2008-2009	2009-2010	Overall
North	AB	28.9%	11.3%	7.9%	7.4%	8.4%
	SK	37.2%	38%	37.5%	37.5%	37.6%
Central	AB	49.8%	75.8%	21.1%	21.4%	30.3%
	SK	31.4%	31.8%	31.4%	31.2%	31.5%
South	AB	21.3%	13%	71%	71.3%	61.3%
	SK	31.5%	30.2%	31.1%	31.2%	31%

A quick word on regional variance is required for Northern First Nations communities in each of the three provinces experience unique challenges. They tend to be isolated communities (i.e., fly-in, non-paved logging roads, require winter roads), which invariably increase the local cost of living, as all materials have to be flown or trucked in over long distances. Community infrastructure frequently pales in comparison to southern First Nations. Health care expenditures are higher due to the cost of housing health professionals in these isolated communities, and for traveling to obtain health care in the south. The diversified nature of the central and southern economies enables those First Nations the opportunity to engage in a wider variety of business opportunities. Not so in the north. Although northern living is more expensive, in Alberta, for example, the FNDF is not adjusted to offset community differences in cost of living and travel, meaning that northern populations are getting less value for their dollar. As is evident the Saskatchewan revenue distribution model ensures more equitable distribution overall while slightly privileging the northern communities.<sup>4</sup>

As for per capita revenue allocations, Figure 3 shows Alberta leads the pack. Measuring per capita distributions is necessary as this aligns with how Aboriginal and Northern Affairs Canada (AANAC)<sup>5</sup> develops its funding protocols for each First Nation in Canada.<sup>6</sup> It also offers a sense of how much money is being generated and directed to each individual despite the fact that per capita payments are not permitted. The tracked revenues are assigned to an assortment of programs offered in each community, such as pre-school, construction, or growing local entrepreneurship, and as such perhaps more reflective of the First Nations casinos' community impacts. In this regard Ontario has the largest First Nations population with 178,309 followed by Saskatchewan (129,138) and Alberta (94,422). This necessarily alters the scope of the casinos' provincial impacts as Figure 3 illustrates. Here Alberta directs the most money per capita at \$1,097 per individual followed by Ontario (\$780) and Saskatchewan (\$430).

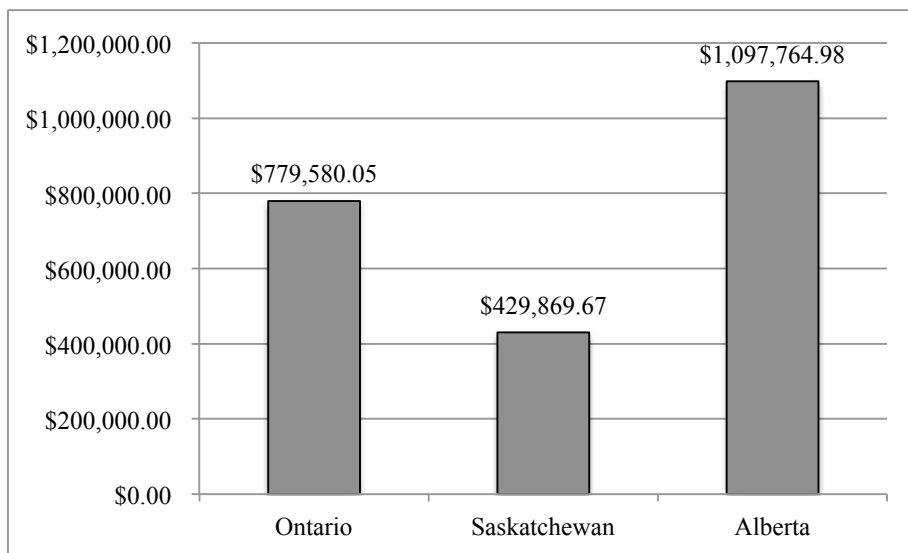


Figure 3. 1000 Per Capita Casino Revenue, 2008-2011

The casino revenues represent additional funds that are directed to local First Nations programs and the creation of infrastructure. As Table 5 shows, gaming revenues

<sup>4</sup> A review of the available data suggests that Ontario will reflect general Saskatchewan trends.

<sup>5</sup> Indian and Northern Affairs Canada (INAC) was renamed Aboriginal and Northern Affairs Canada (AANDC) to "better reflect the scope of the Minister's responsibilities with respect to First Nations, Inuit and Métis. It is also in keeping with practices of the department as, in recent years, the responsibilities of the department have expanded to include and better serve First Nations, Métis and Inuit peoples."

<sup>6</sup> Because there is no stipulation about what percentage of AANDC funding that bands should provide to off-reserve residents, in most cases these monies are spent exclusively on reserves to the detriment of off-reserve members.

supplement provincial First Nations budgets by an average of 12.23% led by Ontario at 17.2%, followed by Alberta (11.67%), then Saskatchewan (3.84%). The revenues in questions are directed to the communities in the form of social programs, economic development projects, and infrastructure development and enhancement. The variances in the per capita percentage of revenues received is a product of net revenues identified below in Table 5 in relation to the provincial First Nations populations—federal funding formulas, while not universal or static, are nevertheless similar for each community.

Table 5  
*Casino Contributions to Host First Nations as a Percentage Above Federal Payments*

	<b>Federal Contribution</b>	<b>Casino/ Gambling Revenues</b>	<b>Gambling Revenue as % of Federal Contribution</b>
<b>Ontario</b>			
<i>Totals (2006-2011)</i>	\$3,816,351,659	\$656,418,945	17.2%
<i>Yearly Average</i>	\$763,270,332	\$131,283,789	17.2%
<b>Saskatchewan</b>			
<i>Totals (2003-2008)<sup>2</sup></i>	\$2,046,850,503	\$78,546,267	3.84%
<i>Yearly Average</i>	\$409,370,101	\$15,709,253	3.84%
<b>Alberta</b>			
<i>Totals (2006-2011)</i>	\$3,212,438,900	\$374,867,594	11.67%
<i>Yearly Average</i>	\$642,487,780	\$74,973,519	11.67%
<b>Totals (average)</b>	<b>\$605,042,738</b>	<b>\$73,988,854</b>	<b>12.23%</b>

The provincial-First Nations funding formulas in Ontario and Alberta have come under fire due to several evident inequities. In Ontario, the Mnjikaning First Nations was initially entitled to keep 35% of Casino Rama’s profits for hosting the casino. This led to a lawsuit filed by the Ontario First Nation chiefs seeking more equitable distribution. The 35% was held in trust until 2008, when the chiefs agreed to forsake their rights to the 35% revenues in exchange for \$201 million and a 1.7% cut of Ontario provincial gaming revenues. The deal is expected to provide the 133 First Nations \$120 million annually, which doubled their current take under the original agreement (Canadian Press, 2010). In Alberta, Enoch’s FNDF disbursement of \$35 million in 2008/2009 was 303% more than its INAC’s budgetary allocation. Similarly Tsuu T’ina received more than \$28 million, which was 142% more than its INAC budget. Despite lower than expected returns, gambling revenues also contribute noticeably to two other host First Nations’—Alexis Nakota Sioux Nation and the Cold Lake First Nations—overall budgets. FNDF funding in total represented 83.3% of the 4 communities’ collective allocation. Not surprisingly, the percentage of revenue accounted for by the FNDF was much less for non-host communities (Belanger & Williams, 2012a). The host community benefits in Saskatchewan are confined to wages plus benefits earned by the Aboriginal employees that make up 65% of the SIGA workforce; and in the form of external discretionary spending by gamblers visiting the First Nations.

*Problem Gambling & Crime*

Concerns have frequently been raised concerning the negative impact of introducing casinos to First Nations communities, the most common being the anticipated rise in problem and pathological gambling. Writing in 2011, journalist Tasha Kheiriddin stated

<sup>2</sup> At the time of the initial analysis for this paper First Nations profiles for Saskatchewan were only available to the year 2008.

that constructing reserve casinos would not be able to overcome the federal, provincial and First Nation political inability to properly respond to among other issues health problems. Existing research does not support such grandiloquent claims. In Alberta, the only province where research exists exploring the impact of introducing casinos to First Nations communities illustrates that in three of the four communities for which data are available the difference in problem and pathological gambling rates between 2008 and 2009 were not statistically significant (Williams, Belanger, et al., 2011). The number of problem gamblers at the Stoney Nakoda Nation did increase by a factor of 3.8 from 2008 to 2009. Consistent with earlier research, First Nation prevalence rates are notably and consistently higher than the general population prevalence rates across Alberta (Wardman, el-Guebaly, & Hodgins, 2001; Williams, Stevens, & Nixon, 2011). Yet there is some evidence of decreased rates of First Nations problem gambling since 2000, coincident with the same trend that may be occurring in the general population (Williams, Belanger, et al., 2011). This despite significant increases in gambling availability and general population per capita expenditure during this time period. Once again we can point to drops in gambling participation rates due to exposure (e.g., Shaffer, LaBrie, & LaPlante, 2004) because the novelty has worn off (Williams, Belanger, et al., 2011). It is duly noted that these rates reflect Aboriginal population trends across Alberta, rather than Aboriginal populations in the immediate proximity of the five new First Nations casinos. Clearly additional work is needed, but findings to date do not support Kheiriddin's dire predictions.

The same can be said for casino-related crime rates, where once again our understanding of the trends is restricted to Alberta. With the exception of the Enoch First Nation, none of Alberta's host First Nations or community officials could confirm a post-casino increase in crime (see also Arthur, Williams, & Belanger, 2014). The highest profile criminal activity occurred following the River Cree Casino and Resort's opening, where Native as well as Jamaican and Asian gangs from Edmonton were vying for both on- and off-reserve territorial control. The River Cree Casino Club also served alcohol drawing younger patrons, and the Royal Canadian Mounted Police (RCMP) frequently responded to service calls that were assault- and alcohol-related. Of all the issues identified by the police, government officials and casino operators money laundering is considered to be the most problematic. According to RCMP officials, various gangs purchase chips with high value bills. After gambling minimally for a half hour, they cash the chips, thus effectively laundering the money. An 8-member RCMP squad responsible for providing casino and reserve policing has worked closely with the Enoch Cree Nation to mitigate local criminal activity. Crime rates are now down due to an enhanced RCMP presence on reserve. An RCMP official responsible for patrolling the Stoney casino reported that the minimal casino calls (accounting for only 25% of each officer's time), enables officers to devote additional resources to combating the local drug trade, domestic abuse, assaults, and mischief. Enhanced policing at Stoney has also led to greater police-community relations (Williams, Belanger, et al., 2011).

### *Employment and Income*

First Nations leaders in each province early on extolled the virtues of reserve casinos, potential employment being the most significant. In short, casinos would both produce revenues for distribution to all provincial First Nations and Aboriginal individuals would be employed. In 1995, Casino Rama Project chairman Ted Williams predicted the casino would generate between upwards of \$400 million a year and employ 1,300 people (Walker, 1995, p. B2), a number that one month later had jumped to 2,200 employees. When the doors opened in July 1996 the workforce stood at 2,600 roughly 620 of which were Aboriginal (Ferguson, 1996, p. A4). Those numbers remained relatively stable through 1999, when it was reported that Casino Rama employed 487 people from 55 provincial First Nations, which made up 20% of the workforce (Marowits, 1999, p. A4), a total that peaked in 2003 at 750 Aboriginal employees. As of 2011 Casino Rama employed

450 Aboriginal people, which at the time represented 14.8% (3,040) of the casino workforce. Using \$30,000 per employee as the average wage we estimate that roughly \$22.5 million is earned by Aboriginal employees. In Alberta original estimates suggested that the five First Nations casinos would employ 1,340 people with an annual payroll of \$37.8 million while acknowledging that a shortage of casino professionals and a limited Aboriginal labor pool would require that non-Native employees also be hired. In fiscal 2009/2010 the five First Nations' casinos had a total 1,030 employees and the total number of employees and total payroll fell below initial expectations. In total, current employee numbers represents 78% of initial projections, whereas the \$31,025,000 payroll represents 82% of original projections. A significant percentage of the five First Nation casino charities employ First Nations people. Out of the approximately 170 employees, 90% (155) are believed to be First Nations with a total estimated payroll \$3.4 million, with the First Nations themselves retaining \$3.1 million of these wages (Williams, Belanger, et al., 2011). Saskatchewan by far has made the most impressive strides as concerns casino Aboriginal employment where roughly 1,200 Aboriginal employees make up 64% of the workforce and in 2010 generated more than \$51 million in Aboriginal wages plus benefits.

Table 6  
*First Nations Casino Aboriginal Employees/Wages + Benefits*

	Number of Employees, 2010	Aboriginal Employees, 2010	Annual Gross Aboriginal Wages + Benefits in 2010	Gross Aboriginal Wages + Benefits, 2006-2011
Ontario	5,068	750	\$22,500,000	\$137,250,000
Saskatchewan	1,900	1,235	\$51,438,609	\$208,256,563
Alberta	1,030	206	\$6,205,000	n/a

Table 6 demonstrates the cumulative effect of these wages. A review of the SIGA's annual reports, for instance, demonstrates that between 2006 and 2011 Aboriginal employees earned \$208,256,563 of the \$320,800,014 paid out in total wages and benefits, which amounts to roughly 65%. During the same period Casino Rama's Aboriginal employees earned \$137,250,000 (data was not available for Alberta). While not all of these dollars remain in Aboriginal communities they do represent value added when factoring in the casino revenues that enter the community in the form of programs and added infrastructure. Measuring the impact of wages versus infrastructure and program investment is difficult. Whereas wages would have better immediate impact because they would quickly be spent on products and services (albeit from outside of Aboriginal communities boasting limited infrastructure and localized business) ultimately this money is lost to the local economy. Creating infrastructure that would enhance local spending would have better long-term value in terms of helping to establish community equilibrium from social, political and economic perspectives. We can conclude that if you are looking to build an economy from the ground up, which is the case for many of the First Nations gaming beneficiaries, public investments are the most effective means. The impact of personal spending power cannot however be understated.

Of note, employment figures for each First Nations community in each province are not available, making it impossible to determine how casino openings affected local employment trends. Statistics Canada and Indian and Northern Affairs Canada (INAC) utilize Canadian census data, the latest year being 2011. Hindering our analysis is the fact that many First Nations in this study cite an inherent right to self-government to restrict Canadian surveyors from entering their communities. Thus their online community profiles lack vital data for employment, annual earnings, work force characteristics,

or even gender and age. Considering that we are unable to generate data sets for some of the larger gaming First Nations (Enoch and Tsuu T'ina in Alberta among them), and benefit significantly from the projects, the lack of complete (or any) data sets hinders our analysis. The above discussion at the very least provides the baseline data from which future analyses may be developed.

### *Provincial Benefits*

The most contentious element of the provincial-First Nations gaming agreements is the provision directing a portion of revenues earned in First Nations casinos to provincial treasuries. But what are the overall costs to the First Nations benefitting from a process presumably intended to provide communities with what Alberta officials described as the “means to support economic, social and community development projects as well as use charitable gaming proceeds for initiatives such as infrastructure and life skills training”? Table 7 shows that during the study period 30% of Alberta and 25% of Saskatchewan First Nations net gaming revenues were directed to their respective provincial governments.<sup>7</sup> Ontario adopted a different strategy by applying a 20% WinTax on CasinoRama’s gross revenues. On average the Ontario government takes in \$96,178,600, Alberta \$56,864,415 (since all First Nations casinos became operational this total has risen to \$77 million annually) and Saskatchewan \$5,441,410.

Table 7  
*Provincial Fees Drawn from First Nations Gaming Revenues<sup>8</sup>*

	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011	Total
Ontario	\$103,000,000	\$99,800,000	\$97,600,000	\$93,500,000	\$86,993,000	\$480,893,000
Saskatchewan	\$10,210,094	\$5,252,187	\$4,105,043	\$2,368,185	\$5,271,543	\$27,207,052
Alberta	\$10,123,667	\$42,306,742	\$76,150,505	\$78,625,870	\$77,115,292	\$284,322,074

In all during the study period roughly \$.75 billion was diverted from First Nations development and into provincial coffers where the money has been used for provincial development. First Nations casinos are in part driving provincial development—especially in Ontario and Alberta—despite the fact that First Nations casinos were touted as means to aid First Nations development. It would appear therefore that First Nations casinos benefit Alberta and Ontario’s non-Native provincial citizens notably. Improvement in this case is, of course, also dependent on Alberta releasing FNDF revenues, which are held in trust until a First Nation satisfies provincial administrators’ spending practices guidelines; and Ontario releasing money withheld until resolution of the several lawsuits involving CasinoRama. Notably all three provinces release gaming revenues only once it has been determined that they are to be spent according to provincially prescribed guidelines intended to assist administrators in determining what is considered to be an appropriate development venture. During the study period Alberta held back 13% of all charity monies and a portion of FNDF funds, amounting to more than \$13 million. These strict spending provisions dictate that provincial regulators are depriving First Nations from accessing revenue generated in First Nations casinos. Notably the provincial allocation provides each province a safety net for reclaiming a portion of the gambling revenues leaking from the provincial economy vis-à-vis non-Native gamblers into the micro First Nations economy.

### **Conclusions**

The above discussion contends that each provincial First Nations gaming model has positive and negative elements and offers a series of important findings. Perhaps the most significant is that First Nations casinos are not performing to maximum benefit, at least as far as leaders of benefactor First Nations communities would recognize. Apart from

<sup>7</sup> In 2007, the Saskatchewan government lowered its take of First Nations gaming revenues from 37.5% to 25% while raising the First Nations take of profits to 75%.

<sup>8</sup> The Saskatchewan data reflects the change in the provincial take on revenues between 2007-2008.

Saskatchewan's notable employment trends and the fact that no discernable post-casino increases in problem gambling or casino-related crime are evident in the provincial First Nations communities; or among its Aboriginal populations, two policy issues continue to hinder the First Nation gaming industry's economic potential. First, although each province developed unique approaches to forging its specific gaming policy, each one included a similar and key provision: they all opted to divert substantial gaming revenues into their own treasuries and away from struggling First Nations communities. In total, the First Nations in the three provinces during the study period were deprived of roughly three-quarters of a billion dollars in gaming revenues that could have been directed to local development and poverty reduction schemes. This exposes the reality that First Nations casinos are prominently benefiting non-Aboriginal provincial citizens, which challenges the spirit and intent of the provincial First Nations gaming policies.

The second policy-related issue concerns casino site prescriptions. In Ontario the NDP government insisted that one central, reserve-based casino service all provincial First Nations. Alberta and Saskatchewan adopted a dissimilar approach that permitted multiple First Nations casino operations so long as they were constructed on a reserve. This did and continues to inform economic outcomes in each province. In addition to influencing employment trends, among other issues, the larger gaming properties located nearby a significant market provide greater benefits compared to the smaller casino properties sited in more isolated areas. Whereas in Saskatchewan the First Nations gaming industry model is characterized by smaller, isolated First Nations casino properties, Alberta chose to blend the latter with the use of large and centralized casinos located near a significant market (see, for e.g., Eadington & Collins, 2009). In Ontario, the First Nation casino was located in an adequate market and has performed admirably even if the move did confine the industry to the provincial south-west while also forestalling attempts at industry expansion. Similar site prescriptions considerably compromised nine of the 11 prairie casinos profitability, consequently undermining struggling provincial First Nations who envisioned gaming revenues as a means to facilitate community development.

The policy deficiencies that continue to undercut the First Nations gaming industry's economic promise have resulted in a unique outcome that demands unpacking for the benefit of First Nations seeking market entry, and to a lesser extent the provincial officials assigned the responsibility for creating and implementing (equitable) First Nations gaming policies. As the analysis loosely revealed, the destination integrated resort has proven more lucrative in Alberta and Ontario, the latter of which offers what appears to be a solid balance of development and employment potential. Ostensibly one could argue that these discrepancies are attributable to the acknowledged differences between the repeater market and the destination integrated resort models (Eadington & Collins, 2009). We cannot however conclusively trace the provincial gaming policy variances to any formal discussion about these models' characteristics for these conversations did not occur. Hence the provincial approaches to policy making were in no way informed, and as such could not take into consideration these nuanced policy debates. Until such time that additional research is produced specifically examining these and like trends our ability to identify a best practice remains limited.

To be certain First Nations casinos appear to be working well albeit within the scope of provincial policy prescriptions that have unduly restricted the industry's participants, which in turn has negatively influenced First Nations casinos' economic development potential. Further work exploring these impacts is warranted, as is provincial reconsideration of the need to seize casino revenues for its own development purposes—they should be redirected back into First Nations' development, minus regulatory costs, as the policy initially intended.

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## Appendix



Source: (Belanger, 2014, p. 320)