

Western Massachusetts Casino Task Force

c/o Pioneer Valley Planning Commission • 26 Central Street – Suite 34 • West Springfield, MA 01089

August 4, 2009

The Honorable Stephen J. Buoniconti, State Senator
Massachusetts Senate
State House, Room 206
Boston, MA 02133

Dear Senator Buoniconti:

Representing fifteen towns in the western Massachusetts region, WMCAT was initiated in August of 2007 by the Monson Board of Selectmen to address potential issues facing our communities from the possible legalization of casino gambling in the Commonwealth as proposed by Governor Deval L. Patrick. The Monson Board of Selectmen notified community leaders in the Quaboag Valley region to organize and discuss the pending legislation and impacts on the region. The WMCAT currently consists of an elected or appointed representative and an alternate from over fifteen communities in the region. The WMCAT mission:

“To assure that the economic, social, and quality of life interests of communities within the Western Massachusetts region are protected and all impacts resulting from the potential development of expanded gambling/gaming within the region are recognized.”

At the April 22, 2009 WMCAT meeting, Senator Brewer requested an extensive list of concerns and issues from the task force for inclusion in any future “amendment” process regarding casino or slot legislation. The following list has been developed by members of the task force as high priority concerns for our communities:

Legislation

A. Comprehensive cost-benefit analysis of slot parlors and mega-casinos.

The legislature will perform a comprehensive cost-benefit analysis and develop data-driven budgets by region that account for fiscal revenues and both operating and capital investment expenses. Benefits/revenues will result from income and property taxes, license fees, job creation, reduction of welfare rolls, and ancillary economic development for regional businesses. Costs/expenses will result from capital investment projects, infrastructure expansion and maintenance thereof; mitigation compensation to affected regional communities for issues defined in the paragraphs below; and state and regional oversight and administration expenses.

The cost-benefit analysis will address state based costs such as the Attorney General; gaming commission personnel, equipment, operating budget, software and all consultants; gambling addiction services; state police and overtime; domestic violence advocates at district courts serving the regions impacted by proposed expanded gambling/gaming; corrections and financial counseling. Subsidized health care costs for transient workers and workers not covered by proposed expanded gambling/gaming health insurance.

B. Establish Regional Mitigation Trust Funds.

The Legislature will establish a Mitigation Trust Fund (MTF) for each region impacted by proposed expanded gambling/gaming which reflects data-driven fiscal costs. Regional MTF Oversight Committees will be established to oversee the allocation/dispersal of MTF Funds and to review the regional impacts and costs annually. These regional committees will be comprised of 5-7 members, 70% of which will be elected locally by a vote from the region such as the Western MA Casino Task Force, to assure fair and equitable regional representation. Each Mitigation Trust Fund will be fully funded from license and tax revenues prior to use of any revenues from proposed expanded gambling/gaming for other state initiatives.

C. Local representation on Gaming Commission(s) & Oversight committees.

The legislature will appoint local and regional representatives of the communities impacted by proposed expanded gambling/gaming to all gambling/gaming commissions, and oversight committees. Local representation will ensure that host regions have equal voting power in decisions impacting the communities that they represent.

D. Public Safety – Police, Fire, Emergency Medical Services.

Legislation will provide data-driven fiscal mitigation funds for public safety costs to communities in the region impacted by expanded gambling/gaming. These costs will include but not be limited to personnel, materials and equipment, vehicles, and translators for non-English speakers. Compatibility with state police technology and equipment will be funded through proposed expanded gambling/gaming revenues not local tax receipts.

E. Environment.

Legislation will consider the impact on natural resources and will enforce all state environmental laws and regulations. Preference will be given to development proposals that utilize Smart Growth policies, including restoring existing structures and facilities; that preserve forestry, wetlands, and wildlife habitat; that minimize air, water, noise, hazardous waste and night light pollution; and that address other MEPA considerations. Credit for increased air pollution due to vehicular traffic will be mitigated through additional payments to host and regional municipalities and regional respiratory care facilities.

F. Infrastructure.

Legislation will assure that all infrastructure costs required to enable proposed expanded gambling/gaming will be borne by the developers/license holders. Examples in this category include but are not limited to: road and bridge improvements, utilities, upgrades to water/sewer facilities, etc.

G. Education.

All enrollment costs for new students due to worker surge in the region of a proposed expanded gambling/gaming facility will be paid by the revenues from tax and license revenues prior to any other state initiatives. These costs will include but not be limited to personnel, materials and equipment for ELL not currently taught in the school districts, special education, facilities and transportation. Legislation will provide annual assessment of education impacts to the region.

H. Zoning.

The legislature will prohibit “hot-bedding” and dormitory housing in communities abutting a potential casino. Local control over zoning supersedes proposed expanded gambling/gaming development proposals. The Commonwealth will provide legal protection for host and regional communities from lawsuits brought against the municipalities by proposed expanded gambling/gaming developers/licensees.

I. Work Force Development.

Proposed expanded gambling/gaming facilities will utilize local, regional and state workforces. Plans for skills development and retention of under-skilled and special needs workers will be promoted. Workers will be guaranteed the rights to organize and form unions on all levels of employment. Union wage and fair, open and competitive procurement laws will be enforced. Preference will be given to proposals that embrace work force development from developmentally disabled and unemployed populations and that include affordable housing and public transportation initiatives.

J. Housing.

Due to the impact from new private housing construction connected with potential expanded gambling/gaming the legislature will act to mitigate the stress on local services to the region by reforming 40B “Affordable Housing Law” to grant full credit to affordable non-publicly funded housing and manufactured housing as affordable housing stock. Each of these types of housing units will count 1.0 as an affordable housing unit.

K. Smart Growth Development.

Legislation will promote Smart Growth initiatives to revitalize areas with existing affordable housing stock, existing commercial buildings, infrastructure and natural resources.

L. Transportation.

Legislation will encourage developers/license holders to reduce regional vehicular traffic by subsidizing low emission public transportation for workers and patrons, providing reduced emission/shuttle busses, rail, etc.

M. Marketing.

Proposed expanded gambling/gaming facilities and their partners, affiliates or subsidiaries will be prohibited from marketing to youth. Marketing materials including but not limited to: logos, materials, clothing, samples of products, will be prohibited to youth. Direct gifts to schools, youth organizations, sports teams, etc., will be prohibited.

N. Ownership.

Legislation will consider restrictions on non-US majority ownership of any proposed expanded gambling/gaming development or facilities.

O. Courts.

Legislation will provide annual assessment of court based services and budgetary needs, track increased impacts and provide fiscal offset for the regional impacts.

P. Ethics.

Legislation will strive for the fullest transparency of all interactions with proposed expanded gambling/gaming. Legislation will prohibit any legislator, municipal official or other individual in an appointed or elected capacity from employment with gambling/gaming entities for five years from effective date of any proposed legislation to expand gambling/gaming in the Commonwealth.

Q. Regional Voting.

Legislation should consider ballot approval of any proposed expanded gambling/gaming facility by host and abutting/directly impacted communities.

R. Casino Expansion.

Legislation will prohibit additional proposed expanded gambling/gaming licenses subsequent to any proposed initial expansion of gambling/gaming in the Commonwealth. Any community that is utilized for host or ancillary services (including but not limited to parking lots, service buildings, employee housing) will be eligible to require a host contract with the casino developers/licensees for impact to the community. Third party businesses that provide a proposed expanded gambling/gaming facility with the above ancillary services will qualify the community for host impact agreements with the proposed expanded gambling/gaming developers.

S. Protection of taxpayers and region from profit loss, bankruptcy and reduction in lottery receipts and local aid.

Legislation will protect taxpayers and regions from lost revenues due to bankruptcy, small business closure and reduction in state subsidies currently provided from lottery receipts and local aid. Data-driven analysis of fiscal impacts will be reviewed and mitigated through the Mitigation Trust Fund on an annual basis to reflect the “real costs” to communities impacted by proposed expanded gambling/gaming.

T. Social and public health costs.

Baseline studies paid through any potential enabling legislation for any proposed expanded gambling/gaming site will be conducted to determine current regional resources. Full funding of regional social and public health costs will be paid by the revenues from tax and license revenues prior to any other state initiatives. Annual analysis of “real costs” will be conducted for the purpose of transparent and accurate mitigation.

U. Underage restrictions.

Legislation will require any proposed expanded gambling/gaming facility to restrict access to gambling for all persons under age 21 years. Legislation will require separate entrances for entertainment venues appropriate for persons under age 21 years.

V. Professional and Technical Assistance.

Legislation will assure professional and technical assistance to regions impacted by proposed gambling/gaming, through the municipalities, which will include but not be limited to: zoning, housing, infrastructure, etc.

W. Expanded gambling/gaming Proposal Selection/Approval Process.

Legislation will provide for inclusion of regional representation during the expanded gambling/gaming proposal selection/approval process.

Thank you for your attention to these matters. We appreciate the diligence and attention you have committed to this issue. Please protect the communities that we call home throughout any considerations of expanded gambling in the Commonwealth.

Sincerely,



Edward S. Harrison, Chairman
Western Massachusetts Casino Task Force

Attachments

Letter to Legislators-July232009FinalFinal/admin/casino task force/letters

APPENDIX A - Definitions

The Western MA Casino Task Force recommends that legislation for any proposed expanded gambling/gaming facility consistently utilize the following terms.

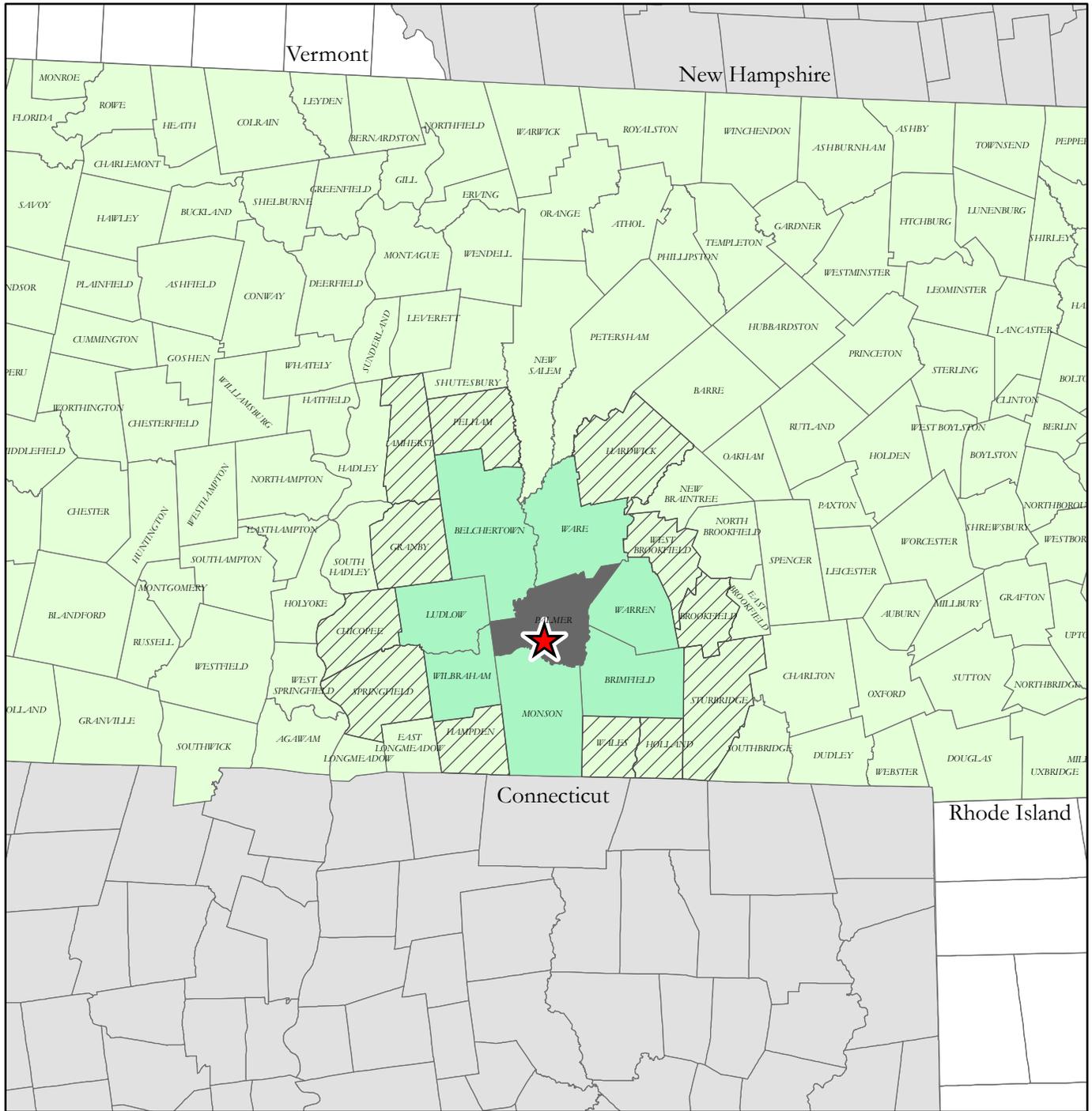
Host – municipality or municipalities hosting structures and ancillary structures for any proposed expanded gambling/gaming facility.

Abutting – municipalities sharing at least one border with a Host community (above).

Region – the area including a host and abutting/directly impacted communities to any proposed expanded gambling/gaming facilities (see sample Appendix B).

Regional – pertaining to the region (above).

APPENDIX B – Impact Map



Anticipated Impact Area from the Proposed Palmer Casino

- Host Community - Palmer
- Abutting Communities
- Other Directly Impacted Communities