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GAMING OVERSIGHT COMMITTEE

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HEARING ON
HOUSE BILL 2082 (CLYMER)

BEFORE:

HONORABLE ROSITA YOUNGBLOOD, MINORITY CHAIRMAN
HONORABLE KAREN BOBACK
HONORABLE MICHELE BROOKS
HONORABLE PAUL CLYMER
HONORABLE PAUL COSTA
HONORABLE ANGEL CRUZ
HONORABLE DANIEL DEASY
HONORABLE GEORGE DUNBAR
HONORABLE FLO FABRIZIO
HONORABLE MIKE FLECK
HONORABLE JOSEPH HACKETT
HONORABLE MARCIA HAHN
HONORABLE JERRY KNOWLES
HONORABLE JOHN LAWRENCE
HONORABLE DAVID MILLARD
HONORABLE DONNA OBERLANDER
HONORABLE RANDY VULAKOVICH

INDEX

TESTIFIERS

WITNESS	PAGE
REP. RANDY VULAKOVICH VICE CHAIRMAN	4
REP. PAUL CLYMER PRIME SPONSOR	5
PAUL W. BUCHA MEDAL OF HONOR RECIPIENT NATIONAL CIVIL WAR TRUST	6
BRENDAN SYNAMON PRESIDENT GETTYSBURG BATTLEFIELD PRESERVATION ASSOCIATION	9
MINDY CRAWFORD EXECUTIVE DIRECTOR PRESERVATION PENNSYLVANIA	23
TOM GILBERT ADAMS COUNTY PRO GROWTH INITIATIVE	26
CERTIFICATE	30

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RANDY L. PHIEL, CHAIRMAN

JAMES E. MARTIN, VICE-CHAIRMAN

MARTY KARSTETER QUALLY

REPRESENTATIVE VULAKOVICH: Good morning everyone. Welcome to today's hearing on the House Gaming Oversight Committee. Today we will hear testimony on House Bill 2082. The bill, sponsored by Representative Paul Clymer, would prohibit the Gaming Board from locating a casino within ten miles of the Gettysburg Battlefield or the Flight 93 memorial. Before we go any further we'll have Carolyn – will you please take roll call?

[Roll call was taken.]

I'd just like to add something before we start the hearing today. I have been asked to fill in for Representative Schroder whose father passed away recently. As we all know, no matter how old we are, you lose a mom or dad, it really hits you hard. So, I'll try to fill in for him the best I can but I have a good Chairman here, Youngblood, and she'll guide me through where I fail, right?

As many of you know this is somewhat of a controversial subject and many have strong feelings on both sides of the issue. For that reason, I ask those who are testifying to keep your comments on the bill and any commentary that is defamatory, degrading, incriminating will not be acceptable. Also, for those in attendance, please take note that we will have an agenda for this meeting and only those on the agenda will be able to speak. If you would like to submit any testimony for the record, we can take your written remarks after the hearing. I'd also like to let you know that there are Members with a prior commitment at 10:30, so I would like to keep within that schedule and don't be offended if people are walking in late; there's many things we have to address in other Committees and business we have to take care of as when people leave. They'll only leave if they have something else. So, don't take any offense there.

Chairman Youngblood, do you have any opening remarks? Alright. With that being said, Representative Clymer would you like to address your bill?

REPRESENTATIVE CLYMER: I would. Thank you, Chairman Vulakovich and Chairwoman Youngblood and Members of the Committee. I come before the Gaming Oversight Committee to explain, and hopefully gain support for, House Bill 2082, that would put a ten mile barrier buffer, if you will, around two designated historic military parks: the Gettysburg National Park and the National Memorial located in Shanksville, Somerset County, dedicated to the brave Americans on Flight 93. The purpose of this barrier buffer is to prevent a casino from being built within this ten mile radius. President Lincoln, in dedicating the Gettysburg Battlefield as a National Park on November 19, 1863 said – and he said it best when he spoke – “We cannot hallow this ground. The brave men who fought and died consecrated it, far above our poor power to add or detract.”

Gettysburg, as we all know, was the turning point in the Civil War. Having failed to achieve their much sought-after victory at Gettysburg, the Confederate Army was in retreat. Thousands of men from the North and the South died in those three days of fierce battle; the battles of July 1st, 2nd, 3rd, 1863. Their courage and bravery, their devotion to duty, is a priceless legacy that we must not compromise with the establishment of a casino that will certainly take away from the solemnity and respect of those in eternal rest at Gettysburg and at Shanksville. Annually, thousands of visitors to Gettysburg share in the reverence and the quietness that engulfs the Gettysburg National Park and now at the Flight 93 National Memorial. These were designated by the U.S. Congress.

As citizens of the Commonwealth at Pennsylvania, it is our duty and responsibility to preserve and protect these two highly recognized military facilities. So, when citizens from across the nation and around the world visit these two historic sites, they will comment, “Well done, people of Pennsylvania.” For the record, other historic sites such as Valley Forge and

Independence Square or Independence Hall, located in Philadelphia, are not designated by the U.S. Congress as a military park or National Memorials. That is the reason they are not included in House Bill 2082. Thank you, Mr. Chairman.

REPRESENTATIVE VULAKOVICH: Thank you, Representative Clymer. Just to save on some time, how about we have all four of the speakers come up, take a seat at the desk here – we’ll need one other chair up here at the table. We have Mr. Paul Bucha, Mr. Brendan Synnamon, Miss Mindy Crawford, and Mr. Tom Gilbert. We welcome all of you here today to give your perspective on this bill and, like we said, it’s a very passionate subject, so we’re looking forward to hearing the different perspectives on this issue. We’ll start off with National Civil War Trust, who will be represented by Paul Bucha, a Medal of Honor recipient. Mr. Bucha? Just identify yourself in the –

MR. BUCHA: I’m Paul Bucha.

REPRESENTATIVE VULAKOVICH: Okay.

MR. BUCHA: I want to make it very clear: I do not represent the Congressional Medal of Honor Society, because the Society is prohibited from participating in any process which is in any way political.

REPRESENTATIVE VULAKOVICH: We understand. We’ll just give you recognition for –

MR. BUCHA: Thank you.

REPRESENTATIVE VULAKOVICH: - for what you did for your country.

MR. BUCHA: And on behalf of the men I served with, I thank you. I’ve submitted a statement, so I won’t waste your time by rereading that statement. It’s there for you to see. But I’d like to just share some observations.

As a West Point graduate, father, and father-in-law of Gettysburg College graduates, as a real estate developer, when I was asked to come here, I had sort of “mixed emotions,” as one of my friends said. Another man said – a not-so-friendly person said, “What are you doing here? You don’t live here.” And I thought that’s sort of what men who have worn the uniform of the United States have been asked wherever they go; ever since the war against Mexico. The answer is always, “Because I believe in something.” We’re here for that reason. That’s why I come to you today.

As I studied the battles of Gettysburg and American History and I taught that at West Point, one of the things that came to my attention and my realization is that this nation we call the United States of America really didn’t find its birth in 1776. That was a somewhat different nation. They argued in the Constitutional Convention whether slaves would be carried in American bottoms or British bottoms – the idea that all men were created equal and those wonderful documents were all white male property owners were created equal and everybody else was less. It was not until this horrific war which, ironically, history has called a Civil War that we chose to battle over that concept of equality. That Lincoln in his speech here at Gettysburg said is the proposition that all men are created equal and by that he meant black and white, red, yellow, male and female. It was at that time that he coined the phrase “Of the people, by the people, and for the people.” That became the vision. From that moment on, that Americans wherever they’ve gone to bear arms have gone with the intent of defending and propagating, not for riches, not for land. So, when someone said to me, “What do you think about the battlefield of Gettysburg?” I said, “Well first of all, it’s massive. It’s absolutely massive. It covers not just this little park, but it covers everywhere; everywhere that the bodies were taken after the war and buried.” There’s a statement that says every barn, every

outbuilding, every church, every stable was filled with wounded from both sides. Camp Letterman had 30,000 patients. So, when one started talking about the battlefield of Gettysburg, I realized that really is a much greater place. There's an obligation that comes with this. It's an obligation that's not dissimilar to the obligation for everybody that has this medal. When you receive this medal you give up a certain amount of latitude that you have as a private citizen. We have a responsibility to provide for a legacy and to provide for something that is not ours but someone else's. It's imposed on us. It's a privilege and it's a burden. So, it is with the people of Pennsylvania. That battle was fought here by choice. People left where they were to come here to fight this battle. There was a belief that something profound would occur if the Confederate Army, the army of Northern Virginia, prevailed. There was a belief that if they didn't prevail something else would be profound. What was profound is our nation came about its vision.

So, today I would say to you that, as a developer, there are things that you do not get to do for some pieces of land because of what they mean to others far greater than yourself. The same thing for the citizens of Gettysburg: you have been given a burden and a privilege to have this battlefield among the homes and schools and churches that you attend. Therefore, on behalf of untold veterans, not only the national VSOs but those quietly living communities all throughout Pennsylvania and Virginia and all over this wonderful land, I would ask you to block the development of this land, preserve it. Not for you, but for us. Just as I'm told when I wear this medal, I don't do it for myself; I wear it for all those men and women not honored who surely deserve this more than I. Thank you very much.

REPRESENTATIVE VULAKOVICH: Thank you Mr. Bucha. We thank you for your perspective and your --- history there. Very enlightening and certainly hits the hearts of many people, that tragic event, of many events from that time period in our country. Brother against

brother as it says to be. Do we have any questions? Well, I guess you hit us pretty hard with that one. Words well said. Thank you.

MR. BUCHA: Thank you very much.

REPRESENTATIVE VULAKOVICH: Next on the agenda we will have representing the Gettysburg Battlefield Preservation Association, we have Mr. Brendan Synnamon.

MR. SYNNAMON: Chairman Vulakovich, on behalf of Chairman Schroder, Democratic Chairperson Youngblood, Members of the Committee, ladies and gentlemen, my name is Brendan Synnamon. I'm a business and property owner in Gettysburg. My wife and I and our young daughter live there year-round. Some of you may know me as the elected president of the Gettysburg Battlefield Preservation Association. That's our nation's oldest battlefield preservation group, so I therefore need to make it clear that my testimony today that I offer you, is not on behalf of my Association. The Association, after extensive consideration, went on the public record supporting the previously proposed Mason-Dixon Casino and submitted a license application to the State Gaming Control Board.

This Association has not had the opportunity to consider House Bill 2082 and therefore has taken no policy position on it.

It's my view that House Bill 2082 should not be adopted. My reasons are multiple.

The genesis of this legislation seems to be that a licensed and controlled casino is inherently incompatible with the battlefield at Gettysburg, or at least within ten miles.

When the casino application was pending, which would have allowed a casino to occupy an already existing building complex some distance south of the Gettysburg battlefield, a survey was taken of the citizens of Adams County. The overwhelming majority having found the casino would have brought economic development, jobs, and tax benefits to our area. That proposed

casino, which would have been located well within this ten mile buffer zone, did not create a preservation issue. If it did, I would have opposed it and no doubt so would those on the Battlefield Preservation Association.

While the proposed license was not granted by the State Gaming Control Board, on pages 84 and 85 of its final findings and opinions, they specifically stated, “The Board does not conclude that placing a licensed facility in this location proposed by Mason-Dixon would have an ill effect on the park, nor would it denigrate its historic significance.”

After considerable review, even the Gaming Control Board came to the same conclusion as many others: that a licensed and a controlled casino does not automatically raise preservation issues if properly planned and properly located.

There are already examples where preservation and casinos can co-exist. Vicksburg, Mississippi is a good example as well as Valley Forge, Pennsylvania.

The concern for this legislation goes beyond the fact that historically-related preservation can co-exist with a casino in its proximity.

In effect, House Bill 2082 creates a State Zoning Code. In this case, a State Zoning Code specifically targeted to certain places. If adopted, it denies certain already-existing property rights of every citizen, business, and other property owner in the affected zones.

This legislation clearly raises the issue of unconstitutionality. It also opens the door to repeated other requests for the Legislature to consider additional exclusionary laws, for all manners of reason, affecting land use and land across the Commonwealth.

The General Assembly has the right to make laws affecting land use at the local level when matters of health and safety are concerned. It can set land standards, of course, on what is State-owned land.

In this instance, the General Assembly is being asked to create property right restrictions and exclusions from Harrisburg that is then handed down to local property owners who have no say in this matter.

Since health and public safety are not an issue, this legislation would set a dangerous precedence.

There are real preservation issues and challenges that are in Pennsylvania. This legislation does not address them. We need the ability to retain and preserve threatened historic sites. We need the ability to restore and maintain them. We need to do more in promoting history-based and heritage tourism which brings dollars and jobs to this Commonwealth. None of these things are embodied in House Bill 2082. While I recommend that this legislation not be adopted, I offer my effort and time, and no doubt the effort and time of others, to assist the Legislature in focusing in on and addressing the real preservation issues that many of us deal in, year in and year out.

Thank you for taking the time to listen. Know that I wish you well in your deliberations that the Committee is charged with.

REPRESENTATIVE VULAKOVICH: Thank you for your testimony, Mr. Synnamon. Chairman Youngblood do you have a question?

MR. SYNNAMON: And I do want to make it clear because the, I believe, the agenda has me representing the Gettysburg Battlefield Preservation Association, that I'm here as behalf of an individual and not as the GBPA.

REPRESENTATIVE VULAKOVICH: Okay.

MR. SYNNAMON: So, you can reflect that in the record.

REPRESENTATIVE VULAKOVICH: Alright, it'll be on the record. Any questions from anyone? Representative Oberlander?

REPRESENTATIVE OBERLANDER: Thank you, Chairman. Thank you, Mr. Synnamon, for your testimony. My question is: what type of a business do you own?

MR. SYNNAMON: I sell original Civil War artifacts: antique guns and swords.

REPRESENTATIVE OBERLANDER: Where is your property in relationship to the potential site?

MR. SYNNAMON: My business is located on the first block of Baltimore Street, four buildings off the square, so it's right downtown in the heart of Gettysburg. It has artillery shell right in the building.

REPRESENTATIVE OBERLANDER: Thank you very much.

REPRESENTATIVE VULAKOVICH: Representative Clymer?

REPRESENTATIVE CLYMER: Thank you for being with us this morning, Mr. Synnamon and also offering your testimony. I appreciate it. One of the issues that we look at is the fact that the casinos are open 24 hours a day. Would you agree with that?

MR. SYNNAMON: Absolutely.

REPRESENTATIVE CLYMER: And they're open 365 days a year. I mean, there's no holidays, federal holidays – doesn't mean anything. They're there for one purpose – to make money. So, because of the very fact that they're open 24 hours a day, 365 days a year, their emphasis is going to be to emphasize the casino that, "Here we are, Mason-Dixon Casino," if that's what they'll call them. Do you not think they will spend hundreds of thousands of dollars in advertising? I mean, it's –

MR. SYNAMON: Any business that wishes to be successful will spend hundreds of thousands of dollars in advertising if they have that budget to gain clientele and make money. I think that history and tourism and a casino or another commercial entity should work well together wherever they're located. Like I had stated in my statement, if this was to be on the battlefield, on land – this project that was put forth was in an existing complex where the footprint wasn't going to change. If it was on the battlefield, our organization or myself would not have supported such ---

REPRESENTATIVE CLYMER: Well, the point I'm making is that you don't have to have it on the battlefield, you can have it a distance away and the very fact you're advertising that this is Gettysburg, trust me, the Gettysburg will be worked into the casino. It's called Mason-Dixon but, you know, they're there to make a profit however they can get those monies in there. So, among my concern is that they are going to, as they advertise their casino, the Gettysburg battlefield will become part of it. Maybe not – in a very subtle way people will identify Mason-Dixon as Gettysburg. It's going to become part of the casino operations and I do have a fear, a part in that the publicity is what I'm referring to, and I have serious concerns about a casino that's going to benefit from the Gettysburg battlefield that we have there. That is to me an important consideration. Again, the very fact that they are there to make profit, they're going to advertise, people are going to be coming from all over – it's not going to be people in Gettysburg – but they're going to be drawing people from Maryland, New York, whoever whatever they offer the people to come and to participate in their gambling, the perks they offer, the people will be there. To me, I see that as a serious problem as far as the preservation and the respect that we should have of the battlefield and a casino taking advantage of that site.

MR. SYNAMON: I didn't go into this issue blindly. You know, whether you want it or not you get opinions when you discuss this matter. That's just hands down what you're going to get. I had families that were split, husbands said, "No way, don't bring a casino;" wife says, "No, I appreciate the battlefield, but I'd rather be there, he enjoys it for two or three days, it doesn't ---." So, there are, you know, I didn't think that everybody would be on the same page, especially with an issue like this. As a preservation standpoint, that location did not represent a section of battlefield. We've heard claims of within cannon distance, or that cavalry dismounted near; those were issues that we considered. We didn't just – or I, since I'm speaking on my behalf – considered the fact that a casino would play off the battlefield. People would come to a casino and may discover that we have a beautiful battlefield – it goes both ways. It doesn't just go – well instead of going to the battlefield, we'll end up at the casino and spend our money there. There will be some give and some take. Now, I was doing research looking at downtown Philly [Philadelphia] being a mile and a half from the Liberty Bell and Independence Hall, like you had suggested and Parks Casino being right near a mile and a half from Fort Pitt. I mean, these are all things and when I went on one for Washington's Crossing, I forget the casino – you'd know better – but on their webpage was a guy dressed up, pretty cheesily, as George Washington, it says, "Hi, I'm George. Come and see what we have to offer you; visit our tourism, see what we have to offer." And that was right on their homepage. So, I think that history and, you know, a commercial entity can co-exist if it's a nurtured relationship.

We weren't in favor of the casino just to bring it there and then let it go. It has to be steered and maintained and that's part of what you're charged with – not just giving it a license and letting it go; I think that has to be something with an open line of communications and working well, just like any other commercial entity. You've got to partner with your neighbors,

whether they be a casino, whether they be a bar or restaurant, you have to work well because we're all in it for the same thing. If you look at Gettysburg economy, it's suffering just like most other economies. This is not a band-aid or the problem solver for Gettysburg but blocking one commercial entity because it's a casino based on moral grounds or what have you, I just think there's better ways to handle it than passing kind of legislation that's first of its kind, preventing one specific entity from being within an area. I think we have better ways. As a preservationist, my frustration – not necessarily with each of you all – it's to try and protect certain protected lands that we have. We have a wonderful Daniel Lady Farm. The process that we have to go through with lobbying and we have four representatives in our area that we are constantly making trips to just to just to get the umbrella of changing us to green on a map for that property to protect it from development. We've got to jump through hoops and hurdles and lobby in order to get certain things which, like I said, is just changing it to green to be put in a bill and something like this hits a bill almost as an afterthought and it's rushed right in. I think that's part of the frustration from preservation standard when we have what's inside that ten mile buffer zone, that 26 square miles, that over six-thousand acres of battlefield that really desperately needs protecting and it's kind of frustrating from a preservationist that we have such an issue trying to get laws passed and legislation passed that protects that area when something could so easily be written in a bill giving a arbitrary ten mile buffer zone as the birds fly from it. It's just kind of perplexing.

REPRESENTATIVE CLYMER: One last thought – I don't have any Ford Motor plants in my district, I don't think in Bucks County – but the image that Ford portrays is how I'm going to think of Ford. If there's a good image of Ford Motor Company, then I'll have a good image of it. If it's a poor image, I'll have a poor image, even though it may not be a company that

deserves to have a secondary or poor image. In the same way that when the casino, if pictured, had come to pass, how the casino uses Gettysburg is how you're going to be able to have a spin-off effect on that Gettysburg battlefield. I think there is a relationship as to the image of that casino and of the battlefield. Now, you may not think so but that's a difference of opinion. The casinos again are out to make money, they're open 24 hours a day, 365 days a year; they want the money however they can get the money. That's their bottom line. The respect of other things, I don't think, is really primary to them. You don't know how they're going to react and I don't know how they're going to react, but I'm not willing to take that chance. I don't want to have a casino that is going to take away, as I just mentioned in my opening remarks, this eliminating the quietness, the respect that we should have for the Gettysburg historic battlefield. Thank you Mr. Chairman.

REPRESENTATIVE VULAKOVICH: Thank you Mr. Clymer – Representative Clymer. Chairman Youngblood?

REPRESENTATIVE YOUNGBLOOD: Good morning. One of the things that I wanted to ask: has tourism been up or down in Gettysburg? What is the economy currently as far as employment and stabilizing the community for jobs? On the battlefield itself, do you have the appropriate funding to maintain the battlefield as well as any buildings that are on the battlefield itself?

MR. SYNAMON: Funding with any organization, especially 501(c)(3)'s, is difficult. We are out there door to door in a lot of cases. We do look for support from commercial entities but when the economy is down, money's not forthcoming. You don't need preservation to live and eat and breathe. It's almost disposable income, extra income that people offer us. Or, if they need a tax write-off and they happen to be doing well. Those are really where preservation funds

come from and just knocking on doors and educating people. We spent on the Daniel Lady Farm, that I referenced earlier, almost three million dollars doing the restoration; preserving the 150 acres where both Union and Confederate died on that site. We've put blood, sweat, and tears – we're a volunteer organization – once again, I reference my organization which I'm not representing but just the things we do on the battlefield, two-thousand of the six-thousand acres that is the Gettysburg National Military Park came through the GBPA so, when we have a property that we have three million dollars in to and we cannot even turn it over to the National Park Service because they don't have the additional funding of 50 thousand dollars per annum to maintain it, what is the preservationist to do? Do we buy more land that the National Park Service can't be given because they don't have the nominal amount to preserve and maintain that over the course of the next five to ten years or in perpetuity? It's almost a double-edged sword when you get into preservation. As far as anywhere that's tourism related unless it's close, I mean we're down; we're down markedly from years past. I've had my business since I was 13 years old and I moved it to Gettysburg when I was 18, so we've seen tourism in peak years: 135th anniversary – any one of those that ends in a zero or a five. The 150th, it's a no-brainer; we're going to have tourism. It's the 151st and 152nd and 153rd that preservationists and store owners and everybody should be really gathering together for, because those are going to be the years that will really tell us unless we have a market upswing in the economy or something happens, I don't think Gettysburg is going to be the place that it could be. And it's scary for a preservation group.

REPRESENTATIVE VULAKOVICH: Representative Lawrence?

REPRESENTATIVE LAWRENCE: Thank you, Mr. Chairman. Mr. Synnamon, I'd like to thank you for coming to testify today. You stated previously that, in your opinion, it would be inappropriate to site a casino, and I think everyone would agree, on the battlefield itself.

MR. SYNNAMON: Absolutely.

REPRESENTATIVE LAWRENCE: Do you think it would be appropriate, in your opinion, to site a casino directly outside – directly bordering – the battlefield?

MR. SYNNAMON: In my opinion, I don't believe so. I mean, if we're going to draw an arbitrary line, why not make it a 20-mile or 30-mile, it's –

REPRESENTATIVE LAWRENCE: My question is: do you think it would be appropriate to site a casino directly next to the battlefield?

MR. SYNNAMON: I think that's what was proposed, absolutely.

REPRESENTATIVE LAWRENCE: Do you think it would be appropriate? Just yes or no, I'm not trying to be –

MR. SYNNAMON: Absolutely was the answer: yes.

REPRESENTATIVE LAWRENCE: So, you think it would be appropriate to site a casino directly next to the battlefield? In your opinion?

MR. SYNNAMON: Directly next to? Yes.

REPRESENTATIVE LAWRENCE: In your testimony – and I don't necessarily completely agree with you – but, you made the point that House Bill 2082 creates a State Zoning Code. I imagine that you have an issue with that because you brought it up here in your testimony. It's my understanding that casinos, for example, that were sited in Philadelphia overruled local zoning. There was a State Zoning Code put into effect that kind of went for the casinos in that case, if you want to say that. Do you have any opinion on that?

MR. SYNNAMON: No, that's for the Legislature. I threw that out there because I think it does set a precedence, as far as affecting property values. If you have a place, such as Boyd's Bears, which employed 150 people, was a multi-million dollar investment that was brought to Gettysburg to play off the battlefield just like any other tourism-based area; it was there because people come there. We got 1.8 to 2.3 million visitors a year. So, to build a business and have people come, you want to put it in a high-traffic area if you're going to be successful and when that left, it lost 150 jobs, but if you were to have that open and a casino came in, the property value for that property would be greater to put this ten mile buffer zone and place such as the outlets which would be in a ten mile zone, the property value would be adversely affected. So, once the battlefield stops, what's to say it needs a one mile, a five mile, if it's not affecting and it's not on land where men fought and died, you know, and nobody's for denigrating the history of Civil War soldiers, these brave men that fought for our country and this gentleman here who took almost the ultimate sacrifice? I mean, my hat's off to them for their services. But, who's to say a bar can't go there or to say a restaurant? What's the next step? I guess the argument is the slippery slope argument, if you will.

REPRESENTATIVE LAWRENCE: I guess my question is specifically with regard to your testimony where you state that House Bill 2082, I guess what you're trying to say, is the State is intruding or the State is commenting on an area that you feel is best left to the local opinion. --- Is that what you're saying?

MR. SYNNAMON: That's correct, yes.

REPRESENTATIVE LAWRENCE: But the flip side of that is that the State has already commented on this and when it went the other way, would you, for example when SugarHouse

Casino was sited in Philadelphia and there was massive local opposition to it; State law trumped. Do you think that was inappropriate?

MR. SYNAMON: I think what would be, in an ideal world I think, if you took the citizens of Adams County and was --- Adams County and you had them do a referendum, a vote, on what was to affect Adams County residents, I think that would be the proper way to do it in a perfect world.

REPRESENTATIVE LAWRENCE: Do you think – and I’m not trying to be difficult – my question is: do you think it was inappropriate that the wishes of the local population in Philadelphia were overridden by a State mandate?

MR. SYNAMON: I am not familiar with the proceedings outside of Philadelphia, so I wouldn’t be qualified to testify that.

REPRESENTATIVE LAWRENCE: I appreciate that. My last question, well it’s more of a comment if you’ll indulge me, Mr. Chairman: I come from southern Chester County and there were no Civil War battles fought in southern Chester County. Be that as it may, I’ve been to Gettysburg, that doesn’t make me an expert on the subject, but I’ve been there and I appreciate the historic nature and certainly the sacrifice of many in the past. I guess, and I don’t mean to say this harshly, but Gettysburg has a tremendous tourist draw; there is a – I don’t want to call it an attraction; a battlefield should never be thought of as an attraction – but the bottom line is, in the eyes of many, that a lot of people come to see the Gettysburg battlefield and while they’re there they solicit the shops and the businesses and such like that, I don’t want to say this would kill the goose that laid the golden egg, but I mean I think there are a lot of little small towns in Pennsylvania that would give their eye teeth to have an attraction like the Gettysburg battlefield.

I think it's short-sighted to say – you used the example of George Washington being used to promote tourism – I mean, was he used directly to promote the casino?

MR. SYNAMON: He was used to direct traffic from the casino site to a tourism site for that local area.

REPRESENTATIVE LAWRENCE: I think that's a shame. I think that's a real shame that the father of our country is pushing slots.

MR. SYNAMON: He was pushing tourism --- it was listed on the site.

REPRESENTATIVE LAWRENCE: Mr. Chairman --- comments, thank you.

MR. SYNAMON: If I may add, we have a – being inherently familiar with Gettysburg --- go ahead.

REPRESENTATIVE VULAKOVICH: I can give you one minute because we've got two other testifiers; one minute.

MR. SYNAMON: I'll yield the time to my –

REPRESENTATIVE VULAKOVICH: Okay. Representative Brooks?

REPRESENTATIVE BROOKS: Preservation is most certainly a daunting task, especially in these challenging economic times. I do want to thank the prior speaker for your dedication and sacrifice for our country and all of our veterans. I did have a question in regard to traffic. I have been down in that area and, especially in June and July, it's very congested. Is there a concern – and I think many of us know that most people revisit casinos, it's not that they just go one time and that's it; they usually select a casino they like and then they revisit that time and time again – is there a concern as far as the congested traffic and that perhaps that traffic would diminish then the folks that are visiting the battlefields because it's just becoming too congested and too difficult to travel around that area?

MR. SYNAMON: As with any other tourist town, when the peak season comes, we have traffic. Nowhere near – I mean, I grew up in Philadelphia – nowhere near the congestion of a major city to any extent, but Gettysburg is situated between Baltimore, Washington, Philadelphia – we’re in the center whether we like it or not – so, we do get traffic, however, the 15 bypass there would run right by the old proposed Mason-Dixon Casino which was a mile from 15. So, I did look at the traffic surveys and that but just from an overall standpoint, when it’s summer and we have tourists, it’s busy. We expect 1.8 that goes from Sleepy Hollow in February – right now it’s myself and the mailman throughout January, February – then it turns into basically a shore town. It’s a tourist destination. So, we go from a local resident population to 1.8 million visitors over the course of a year, so we do see an influx of traffic and our roadways which would hopefully – I mean, 26 percent of our area doesn’t pay taxes: the battlefield, the churches, the schools – the infrastructure with the new tax base can be kept up on or improved. When I drove by that location that was proposed for Mason-Dixon and saw a lighted marquee saying the All Star Sports Complex versus the artists renditions that were more period appropriate with the split-rail fence and the stone and the façade that was meant, it was a market improvement over the existing complex than is currently a 35, 40 year run-down facility that as preservationists we never even considered because it wasn’t part of the battlefield. We as preservationists have our hands full with the battlefield and the actual sites that were fought on and, you know, the areas that are not on the battlefield, quite frankly aren’t a concern when we can’t even find funding for those that were historically related. That’s what it comes down to.

REPRESENTATIVE BROOKS: The other thing that – and you’ve mentioned several times in speaking today, talking about what the General Assembly has not done to help preserve this area, other than financial funds and so forth, because I do believe that the State partnered

with that area for the new Visitor Center, and so forth, which is beautiful. I would be interested, today we're running short of time, but if you could send us your ideas as far as where you think the General Assembly is lacking in preserving this great historical area. Just my final point: I think what Representative Clymer is speaking of is the very illustration that you had used with George Washington. There is a solemnness at that battlefield and, most certainly, we would not want to diminish that. So, thank you very much for your efforts; I know they're great and challenging. Thank you for being here today.

MR. SYNNAMEON: Let me just make it clear that we're not looking to commercialize or take anything away from the battlefield – that's not our intentions. There are plenty of businesses – Pickett's Buffet and the like – that play on major members of that battle and, you know, it comes with tourism; it does. I would hope that if the casino, if it was brought there, wouldn't be a salacious partner – we would do our best to make sure it wasn't.

REPRESENTATIVE BROOKS: Thank you.

REPRESENTATIVE VULAKOVICH: Well, we want to thank you for your testimony Mr. Synnameon. Next – we're running out of time a little bit so everybody keep that thought in mind – representative of Preservation Pennsylvania, Miss Mindy Crawford, Executive Director. Miss Crawford?

MISS CRAWFORD: Thank you. Thank you, Members of the Committee; I appreciate the opportunity to speak today. You have my written testimony, but I would like to highlight a few of those points.

I represent Preservation Pennsylvania which is a State-wide, non-profit organization and we're charged with helping people preserve and protect the places that matter to them. Personally, I'm also a resident of Hanover in York County and Gettysburg is my neighbor and I

am a frequent visitor there. But, I'm here today to ask you to act favorably on House Bill 2082. We are asking for legislation that would permanently protect both the Gettysburg National Military Park and the Flight 93 National Memorial with what we're calling a Zone of Respect to allow that there would not be a casino within the ten miles of those two sites. I'm going to move onto my reasons since I know we're running short on time; as I said you can read my full testimony. We are asking for your support for three reasons.

The first is, we are considered the State-wide voice for historic preservation and we work with lots of groups all across the state to help them with their issues. We're asked to get involved in a number of State resources that are considered to be at risk and we don't take the decision to become involved with them lightly; we carefully consider what it is we choose to come out to assist with. The decision to fight against the casino proposals was one that was easy for us. It was easy for us because of the overwhelming number of calls and letters and emails from people from all over Pennsylvania and beyond who asked us to step in and become involved in this battle. So we did. First proposal, second proposal, and now we really feel our work's not done unless we can get some kind of permanent protection for this happening again. Polling in April of 2011, showed overwhelmingly the majority of Pennsylvanians would support legislation that would provide this buffer zone. So, in short, Pennsylvania does support House Bill 2082.

As for the importance of these resources, why, there's no one here who would argue about the importance of protecting Gettysburg. I think it's also important to mention the other site that's under consideration today, which is the Flight 93 [Memorial]. One hundred years ago no one would have ever guessed that we'd be dealing with proposals for casinos near Gettysburg. So, while the area around Shanksville is pretty rural now and not very developed, I think we

need to look forward and think about protecting it now before we are dealing with the same issue there.

I'm going to focus on my last reason, which is where some of your questions have come from, which is to talk about the economics. In 2010, total visitor spending at Gettysburg was \$63,573,000 – only \$500,000 of which was from the local residents. Visitors to Flight 93 contributed \$6,856,000 to the local economy, again only \$500,000 from local residents. So, heritage visitors do contribute significantly to Gettysburg and to the area around Shanksville, so why do we not want a casino to create more jobs and more income? In this current economic climate we're all about jobs; I understand that. But really, what we found through economic studies is the kinds of jobs that are created by casinos are generally part-time jobs, seasonal jobs, with often much less than minimum wage. Also, people do come to town and spend money on casinos. But, people only have a certain amount of money and they're going to choose where to spend it; so if they spend it at a casino, they're potentially not spending it in other places and the restaurants and the shops in the areas. We do really feel that there is a direct negative impact to local businesses and jobs.

The often cited Vicksburg, Mississippi, is something I think we really need to consider. It's a valid parallel to the situation in Gettysburg. Before the casinos opened there, Vicksburg National Military Park was very, a close second to Gettysburg in visitation and among the National Park Service Civil War sites. But in 1994, when the casinos opened, visitation plunged and took four years to rebound. Hurricane Katrina caused another dive in 2005, but unlike other national parks in Mississippi and Louisiana, Vicksburg visitation has not yet recovered. Their current numbers are consistent with the 1980's, when the park first introduced visitor fees, entrance fees, and during the 1970's oil embargo. While park visitation has plummeted as much

as 20 percent, once the casinos opened, traffic bypassing the park's main entrance has risen 12 percent, and traffic on segments of Old Highway 61, which is the primary access road to Vicksburg's main casino complex, has exploded 64 percent, so traffic is certainly an issue. Today, traffic on key segments of Vicksburg Historic Downtown area is 17 percent lower than it was in 1998, and 40 percent of the buildings are vacant.

I think the lesson is clear: casinos and heritage tourism do not belong together. Pennsylvania still has an opportunity to not suffer the same fate as Mississippi if you proactively work to safeguard these two sites. You can be proud of the fact that we care about our heritage and that we've taken the time to protect it. Thank you.

REPRESENTATIVE VULAKOVICH: Thank you very much. Do we have any questions? I'd like to recognize Representative Boback just entered. I personally would like to thank you for the outlook of Vicksburg and how it affected the economy there for a while. It's always a question whether the casinos would take away from the very thing that you – sometimes what you wish for you get and you're sorry you wished for it. So, it's another perspective and we appreciate that. So, thank you very much for your testimony. We'll now go to Adams County Pro Growth Initiative, represented by Mr. Tom Gilbert. Mr. Gilbert?

MR. GILBERT: My name is Tom Gilbert and I reside in –

REPRESENTATIVE VULAKOVICH: Would you please speak into the mic[rophone]?

MR. GILBERT: Good morning, Mr. Chairman and Members of the Committee. My name is Thomas Gilbert and I reside in Gettysburg, Adams County, where I am a small business owner. As a lifelong resident of Adams County and Gettysburg, I am appalled that a Representative of Bucks County would try to deprive our area of desperately needed job creation and economic development.

I've been a resident of Gettysburg my entire life, except for my service to my country, and currently live next to the battlefield. My property abuts the newly acquired land from the First Day's Battle, the former site of the Gettysburg Country Club, which President Eisenhower had as his home golf course. My heritage comes from my great-great grandfather, who fought in the Battle of Gettysburg. He was the drummer boy of Adams County Company K, the first Pennsylvania Reserve.

Today, I'm a business owner in Gettysburg and do pay taxes. This misguided bill should die with this Committee. It is unconstitutional and an affront to our State laws to draw a line around an area to exclude a legal business. If the sponsor of the legislation is so focused on my hometown where I pay taxes, I must ask several questions.

Why did the sponsor not make the same effort in his county considering there is a casino in Bensalem? Where was he when Valley Forge was awarded a casino license right next to one of the most historical areas in our nation?

Please put this unconstitutional bill to rest for once and for all. Those of us who have relatives that fought in the Battle of Gettysburg and live here today certainly understand the importance of what happened in my hometown. But we also understand the need for job creation, economic development because our future is every bit as important as our past.

I want to thank the Committee for the opportunity of addressing this body from the standpoint of a citizen from Adams County. Thank you.

REPRESENTATIVE VULAKOVICH: Thank you, Mr. Gilbert. Any questions from anybody on the Committee? Representative Clymer.

REPRESENTATIVE CLYMER: Thank you. Mr. Synnamon, I want to just go back to you again; thank you for your due diligence. David LeVan is one of the promoters of the

Mason-Dixon Casino. Has he or any of his associates given any money to your organization or has promised any money to your organization?

MR. SYNAMON: He has not promised any money; he has given money in the past just like the Majestic Theatre, the College – he's a philanthropist in the area, but he has not promised anything in lieu of testimony or anything to that regard.

REPRESENTATIVE CLYMER: Okay. Thank you for that response.

REPRESENTATIVE VULAKOVICH: Representative Fleck?

REPRESENTATIVE FLECK: Yes, thank you. I think the average person, the average tourist coming to Gettysburg, is coming there to be educated, not entertained. This is very personal for me, because my great-great grandfather, one of several that I had, fought in the Civil War was actually shot at the Wheat Field, so I share a common linkage with you there. True, we've taken a lot of liberties at what we do with these tourists when they come and, you know, they need a place to stay and we can sell them a trinket, but a casino is going to bring a whole other attraction – it's an entertainment complex. Quite frankly, I think we're better than that. Gettysburg is unique; one of the very few unique places that we have in our country. Pearl Harbor, Valley Forge – I certainly agree that there shouldn't be anything around there. So, no offense to the fine tax payers of Adams County, I'm all about local control, but I think these men who shed their blood and died there paid the ultimate tax bill and we should reverence that area. So, quite frankly, that trumps the local control issue for me and I think that we should celebrate our heritage; we should not lose focus just for the almighty dollar. I certainly agree that you guys are wanting to bring in jobs; we're all about that and maybe we can work together on another venue. Thank you.

REPRESENTATIVE VULAKOVICH: Thank you, Representative Fleck. Any other questions? I will just close by saying that we appreciate everyone showing up today. We know this is a passionate issue; I had several people come to my office last year or the year before – sometimes you lose track of time with things at this place. There's always, as an old policeman, there's always many sides to a story. We're talking about balance, about customs, traditions and certainly whenever you think – you know Gettysburg is like, it's like a large cemetery and you think of what would go next to a cemetery in any town, people would be appalled saying, "Just move it down a little piece, so it's not in view of the cemetery." I know myself, when I go to Gettysburg; my favorite spot is underneath that tree looking out at the field where the Confed[erate]s came up the high water mark. Over in the corner, I sit on the wall and I can't quite explain the feeling I get when I go to that spot. Imagine the horrific, the horror that both sides felt, and people that knew each other, the commanders on the side of the Confederates and on the side of the Union. One of the questions was asked when the General came and said, "Are we on good grounds?" and they said, "We're on very good ground." So, we need to keep that in mind about our traditions and our customs and what we think about very good ground. We understand both sides. Both sides are passionate; I don't think anyone is slighting anyone by saying we want the casino there; your opinion is based on different things. It's hard for us, for some of us, who don't live there, you know, to decide which way we should go with this. It is about anything we do up here, we try to do --- balance and compromise and yes we do sometimes have to put our heart into it. So, this is an issue where heart will play a little part in this decision we make in regard to this piece of legislation. So, we thank all of you for being here today; you conducted yourself very well – you made my job easy. I'll be talking to Chairman Schroder upon his return and Chairman Youngblood will be a part of that conversation

as Representative Clymer. Believe me, we will absolutely take everybody's thoughts and concerns and think about them when we address this piece of legislation. Believe me, this is hard for us, too. You get pulled from both sides but it's some decision we have to make, one way or another. That's what you hire us for. It's not always easy. So, I thank all of you. This hearing is adjourned. Thank you.

(Whereupon, the meeting adjourned at 10:35 a.m.)

The above is a full and accurate transcript of proceedings produced by the Official Reporter's Office of the Pennsylvania House of Representatives.

Jessica J. Zook