

**TESTIMONY OF BRENDAN SYNNAMON BEFORE THE GAMING OVERSIGHT COMMITTEE OF THE PENNSYLVANIA HOUSE OF REPRESENTATIVES ON WEDNESDAY, FEBRUARY 8, 2012, AT G-50 IVIS HOUSE OFFICE BUILDING, HARRISBURG, PENNSYLVANIA, REGARDING HOUSE BILL 2082**

Chairman Schroder, Democratic Chairperson Youngblood, Members of the Committee, and Ladies and Gentleman:

My name is Brendan Synnamon. I am a business and property owner in Gettysburg, My wife and I, with our young daughter, live there year-round.

Some may know that I am the elected President of the Gettysburg Battlefield Preservation Association, which is the oldest Civil War battlefield preservation group in the Nation.

I therefore need to make it clear that the testimony I offer today is on my own behalf and not the Association. The Association, after extensive consideration, went on the public record supporting the previously proposed Mason-Dixon casino that had submitted a licensing application to the State Gaming Control Board.

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

It is 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 Gettysburg Battlefield, at least within ten miles of the Battlefield.

At the time there was a casino license application pending, that would have allowed a casino to occupy an already existing building complex a distance south of the Gettysburg Battlefield, a survey was taken of citizens in Adams County. The overwhelming majority favored having the casino because of economic development, jobs and tax benefits it would have brought.

That proposed casino, which would have been well within the ten mile radius of the Battlefield, did not create a preservation issue. If it had, I would have opposed it and, no doubt, so would my colleagues in the Preservation Association.

While that proposed license was not granted, the State Gaming Control Board, on pages 84 and 85 of its final findings and opinions, specifically stated: "the board does not conclude that placing a licensed facility in the 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 State Gaming Control Board came to the same conclusion as many others---that a licensed and controlled casino does not automatically raise preservation issues if properly planned and located.

There are already examples where preservation and casinos can co-exist. Vicksburg, Mississippi is an excellent example. So is Valley Forge, Pennsylvania.

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

In effect, House Bill 2082 creates a State Zoning Code. In this case, it is a 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 manner of reasons, affecting land and land uses across the Commonwealth.

The General Assembly has the right to make laws affecting land uses at the local level when matters of health and safety are concerned. It can set land use standards, of course, for 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 the matter.

Since health and public safety are not an issue, this legislation would be a precedent.

We have real preservation issues and challenges 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 heritage and history-related tourism, which brings dollars and jobs to our Commonwealth.

None of these things are embodied in House Bill 2082. While I recommend this legislation not be adopted, I offer my efforts and time--and no doubt, the efforts and time of others--to assist the Legislature in focusing on and addressing the real preservation issues that many of us deal with, year in and year out.

Thank you for taking the time to listen. Know that I wish you well in your deliberations on this and other matters the Committee is charged with considering.