



TESTIMONY TO THE PUBLIC HEALTH COMMITTEE

Proposed Bill 5608 AN ACT CONCERNING ISSUANCE OF LIQUOR PERMITS TO CASINOS THAT PERMIT SMOKING IN THE CASINO

By Chuck Bunnell, Chief of Staff for External Affairs, Mohegan Tribe

FEBRUARY 27, 2009

Senator Harris, Representative Ritter; members of the Public Health Committee

I am Chuck Bunnell, the Chief of Staff of the Mohegan Tribe. On behalf of the Mohegan Tribal Council, I want to thank you for giving us the opportunity to speak on the issues raised in Proposed Bill 5608.

The Tribe appreciates the efforts made by the southeastern delegation to arrive at a proposal that incorporates much of the work the Tribe and the state have done over the past six months. However we continue to oppose any legislation that interferes with the sovereign rights of the Mohegan Tribe or violates the gaming compact between the Tribe and the State of Connecticut. In particular, we oppose conditions put on the renewal of a casino liquor permit [to Mohegan Sun], especially conditions that are unrelated to the proper regulation of the sale or distribution of alcoholic beverages. The Attorney General of the Mohegan Tribe is submitting written testimony on the specific legal implications of the liquor permit conditions in the proposed bill, so I want to focus my testimony on what the Mohegan Tribe has done in this area, working with the Governor's office and the Division of Special Revenue, as reflected in the parts of the bill concerning standards for second hand smoke reduction and mitigation.

Following last year's discussions, we committed to work with the state to further examine the issues related to second hand smoke. We have greatly expanded smoke free zones to nearly 90 percent of Mohegan Sun property, including all public areas where minors are allowed. Under our new standards, smoking is only permitted in certain gaming areas, bars and nightclubs, and in a designated employee smoking room

Further, Mohegan Sun has invested in ventilation systems and technologies that are capable of exchanging air at a rate of 15 times per hour, much higher than the average exchange rate for a building such as this one. Our systems and smoking areas are independently tested and monitored regularly, with the results now reported to the State on a semi-annual basis.

Our expansion of non-smoking areas and standards for mitigation, testing, monitoring and employee accommodations were agreed to after detailed discussions with

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Governor Rell and have been incorporated into the standards of operation and management of Mohegan Sun pursuant to the compact between our two governments. The agreement is the first of its kind in the nation.

At the time it was announced, Attorney General Blumenthal said "The Mohegan Tribal Nation has made a historic and enduring contribution to our state and even our national public health by proposing this plan."

I ask you to keep in mind some important points regarding the proposed legislation.

The compact or treaty between the state and the Mohegan Tribe, signed 15 years ago, specifies how our governments interact. Our partnership is based on respect, communication and cooperation and is set forth in Federal law that guarantees the rights of the Native Tribes. We believe the state cannot adopt legislation that would supersede the laws of the Mohegan Tribe, or the language of the compact.

I also ask you to consider the mounting evidence that casino smoking bans have a negative economic impact.

- Illinois gaming collections dropped more than 24 percent after a ban was passed last year; Colorado's dropped nearly 16 percent.
- In Atlantic City, the financial impact of a smoking ban was so devastating on casino revenues that it was delayed again for at least another year by the city council.
- A mere 15 percent drop in Mohegan Sun slot revenue translates into a \$33 million drop in contribution payments to the state, and the potential for thousands of job cuts at the casino and among vendors.

And finally, any ban that targets only Connecticut's Native American operated casinos and does not include private clubs, charitable gaming events and fraternal organizations, is at the very least discriminatory, and some could argue racist.

We believe that mitigation efforts achieve the stated goals. If the state legislature does not agree, however, you must establish a level playing field, with smoking banned in all indoor venues, not just at Native American properties.

The Mohegan Tribal leadership will continue seeking legislative input on this important issue, as we have throughout our discussions with the Governor.

Thank you and we are happy to answer any questions you have – today – or at any point in the future.