

# City of Taunton

## Office of the Mayor

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### An Open Letter to the Citizens of Taunton from Mayor Thomas C. Hoye, Jr.

April 10, 2012

#### RE: Destination Resort Casino Proposed by Mashpee Wampanoag Tribe

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Dear Citizens of Taunton:

As Mayor of the great City of Taunton, I want to state unequivocally that your voices will be heard. Recent press reports appear to suggest that your vote in the upcoming June 9<sup>th</sup> referendum does not matter. Here are a multitude of reasons why this is not accurate:

- **The law mandates that a local election take place.** The Legislature, and not the City of Taunton, drafted the new expanded gaming act. While I would have preferred stronger language in the law to more clearly delineate the role of the local referendum, the law does make it clear that a local election must take place. In pertinent part, Section 91(c) of the gaming act states as follows:

*The governor shall only enter into negotiations ... with a tribe that has ... scheduled a vote in the host communities for approval of the proposed tribal gaming development. The governing body in the host community shall coordinate with the tribe to schedule a vote for approval of the proposed gaming establishment....*

We are obligated to follow the law, which is exactly what we have done, and what we will continue to do.

- **The City will have a binding legal agreement with the Tribe.** Preliminary stages of negotiations between the City and the Tribe have begun. I fully expect that we will have, prior to the June 9<sup>th</sup> referendum, a signed intergovernmental agreement between the City and the Tribe.

I expect that this agreement will address, among many other things, mitigation and host community benefits paid by the Tribe to the City and payments by the Tribe to the City in lieu of real estate taxes. It will contain a limited waiver of sovereign immunity so that the agreement can be enforced in Massachusetts courts. I will present this agreement to the Municipal Council for ratification.

The Tribe will likely seek in this agreement a promise by the City to support its application to place the land into trust by the U.S. Department of the Interior. If the referendum passes, the City will support this request. If the referendum does not, we will oppose the Tribe's application.

- **The Governor must negotiate a Compact with the Tribe.** The Governor is a state-wide elected official. Section 91(a) of the gaming act authorizes the Governor to enter into a compact with the Tribe. Should the people of Taunton reject this project at the ballot box, I will reach out to the Governor to insist that he cease any and all further Compact discussions with the Tribe.
- **The Legislature must approve the Compact.** Section 91(d) of the gaming act requires any compact agreed to by the Governor be submitted to the Legislature for approval. I would fully expect that the elected members of the Massachusetts House and Senate would take into consideration the results of the June 9<sup>th</sup> Taunton referendum prior to voting on approval of a Compact with the Mashpee Wampanoag Tribe.
- **The Tribe must successfully place the land into federal trust.** As a tribal gaming development, the current proposal envisions placing the land into federal trust. Essentially, this involves the Tribe applying to and convincing the U.S. Department of the Interior to take the land into trust. The people of Taunton will have the opportunity to be heard by the federal government before a decision is made. Naturally, the results of the July 9<sup>th</sup> referendum will be relayed to the U.S. Department of the Interior, the federal Bureau of Indian Affairs, and our U.S. Senators and Representatives in Congress. If the referendum passes, we will support the Tribe's application. On the other hand, should the people of Taunton vote against this proposal on June 9<sup>th</sup>, we will do everything in our power to oppose the Tribe's land into trust application.

It is my hope that this information gives you greater insight into this process. I would encourage each and every citizen of Taunton to pay close attention to further details as they emerge and, most importantly, to vote on June 9, 2012.

Sincerely,

A handwritten signature in cursive script, appearing to read "Thomas C. Hoye, Jr.", written in dark ink.

Thomas C. Hoye, Jr.  
Mayor