



# Senate Bill 0041

Introduced First Regular Session 117th General Assembly

Sponsored by:

State Senator Earline Rogers  
State Senator Luke Kenley,  
State Senator Ed Charbonneau  
State Senator Lonnie Randolph

Committee On Public Policy

Sen. Ronnie Alting, Chairman

Wednesday, February 16, 2011

# Senate Bill 41...

- **Synopsis:**

Permits a licensed owner who operates a riverboat in Gary to submit to the gaming commission a plan for the construction of an inland casino. Provides that not more than one riverboat gambling operation may be relocated. Makes conforming changes. Removes obsolete provisions concerning the original riverboat licensing process.

- **Effective Date:**

July 1, 2011

- **Author(s):**

Senator Earline Rogers  
Senator Luke Kenley  
Senator Ed Charbonneau  
Senator Lonnie Randolph



# Presentation Outline ...

- **Indiana Gaming History**  
Senator Earline Rogers
- **Status: Gary, Indiana**  
Mayor Rudy Clay, City of Gary  
Celia Green, City Controller
- **A Regional Perspective**  
Bill Hanna, RDA
- **Development Footprint**  
Chris Murphy, American Structurepoint
- **Expert Testimony**  
Sebastian Sinclair, Christiansen Capital Advisors LLC
- **Legislative Perspective**  
Senator Luke Kenley, Appropriations Chair
- **Closing Comments**  
Representative Charlie Brown



# Indiana Gaming History...

1988	<i>Voters of Indiana overwhelmingly repeal the state's constitutional ban on lotteries</i>
1989	<i>The State's first casino bill allowing a land-based casino in Gary, Indiana is filed</i>
1990	<i>Land-Based casino bill for Gary, Indiana is passed in the Indiana House of Representatives</i>
1993	<i>Indiana Riverboat Gaming bill allowing eleven (11) licenses throughout the state becomes law</i>

- *Indiana now ranks third (3<sup>rd</sup>) nationally behind Nevada and New Jersey in total gaming revenue.*
- *Casino revenue ranks third behind state income tax and sales tax as the highest revenue source for the State of Indiana*





# Status: Gary, Indiana

A Regional Perspective

## **The City of Gary, Indiana**

Mayor, Rudy Clay  
Celita Green, Controller





**OFFICE OF THE MAYOR**

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**RUDOLPH CLAY**  
MAYOR

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**SENATE PUBLIC POLICY HEARING ON LAND BASED  
CASINOS**

**Wednesday, February 16, 2011**

**SENATE TESTIMONY**

Good afternoon, everyone. I am Rudy Clay, Mayor of the City of Gary, Indiana. I would like to thank Senator Alting and the esteemed members of the Senate Public Policy Committee for providing both the opportunity and the forum to give testimony and offer comments on proposed legislation that would permit land based casinos in Gary. I would especially like to thank both Senator Earline Rogers for her untiring efforts in this endeavor and also Representative Charlie Brown for his support on this venture. I extend my thanks as well to the co-sponsors of this legislation: Senator Luke Kenley, Senator Ed Charbonneau and Senator Lonnie Randolph. It is my sincere hope that the information and data provided here today will give this body the comfort level that it needs to allow us to pursue this initiative in our city.

The financial trials that the City of Gary has faced over the past few years have been well publicized. Our City Controller, Mrs. Celita Green, will provide you with both a short history as well as the current status of our fiscal efforts. I want to be very clear to the committee today by saying that our budget cuts and cost trimming will not provide the City of Gary with financial solvency. The only way to extricate ourselves from our current financial dilemma once and for all is to grow our way out of it. This can only be achieved with the pursuit and implementation of strategic economic investments in our city designed to restore and expand our tax base.

We have been working diligently on such a program of targeted economic investment. The investments made by US Steel in its Coke Substitute Project, by the Canadian National Rail Road in its Kirk Yard, and investments in the Gary Chicago International Airport lay a framework for the success of our tax base

restoration program. We believe a land based casino is an important and critical component to our continued efforts at strategic economic development designed to restore our tax base. We trust that our case will be compelling enough to elicit legislative assistance in the authorization of land based casinos.

Without further ado, I will turn our presentation over to our City Controller, Celita Green, who will provide critical information concerning our efforts.

Thank you for your attention today.

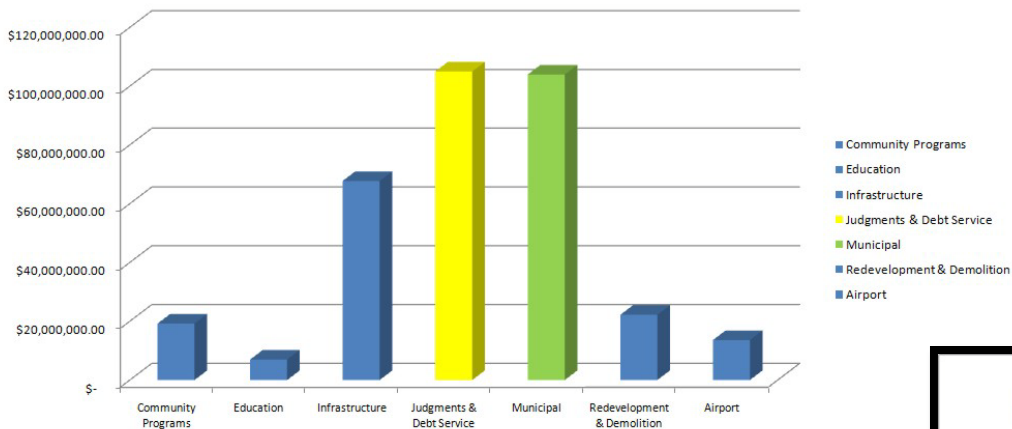
Sincerely,

A handwritten signature in black ink, appearing to read 'Rudolph Clay', with a stylized, sweeping flourish at the end.

Rudolph Clay, Mayor  
City of Gary

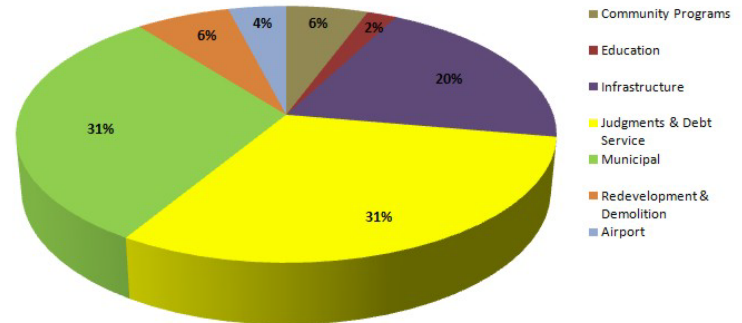
# Past Use of Casino Revenue...

**Casino Expenditures FY1997-2010**



Expenditures Represent **99.6%** of Total Revenues Received from 1997-2010

**Percentages of Casino Expenditures**



EXPENDITURE	FY 1997-2010	%
Community Programs	\$ 19,229,657.05	5.7%
Education	\$ 6,972,172.00	2.1%
Infrastructure	\$ 67,752,982.69	20.0%
Judgments & Debt Service	\$ 104,995,052.33	31.0%
Municipal	\$ 103,971,214.65	30.7%
Redevelopment & Demolition	\$ 22,197,136.39	6.6%
Airport	\$ 13,590,000.00	4.0%
<b>TOTAL EXPENDITURES</b>	<b>\$ 338,708,215.11</b>	
<b>TOTAL ACTUAL REVENUES</b>	<b>\$ 339,958,836.52</b>	



# Status: Gary, Indiana...

- *The City of Gary, Indiana has sought assistance from the Distressed Unit Appeal Board pursuant to I.C. 6-1.1-20.3-6 et. seq. Relief from the application of the credit against tax liability established under I.C. 6-1.1-20.6 and as also set forth in H.B. 1001 (2008) is sought in order to ensure the continuation of, as far as possible, basic services to the citizens of Gary.*
- *Under the provisions of I.C. 6-1.1-20.6, the City of Gary would have been required to reduce its tax levy in the amount of \$30 million in 2009 and \$36 million in 2010. Using these figures, the City would have to reduce its budget by nearly 57% from its 2008 level within two years.*



# Status: Gary, Indiana...

- **Introduction:**

- *Although the City has reduced its levy for 2010 to \$47.8M from the \$63M levy in 2008, without additional relief for 2011, the city would have to shut down the majority of City operations and would be unable to provide services other than public safety protection.*
- *Public Safety would operate at even a lower capacity, than the proposed reduced level for 2011. The proposed property tax levy for 2011 is \$41.1M, which consist of a reduced \$39M from the City and a \$2M shift from Gary Sanitary District levy.*



# Status: Gary, Indiana

- **Financial Situation (2010):**

- *The City borrowed \$8.5M to offset the shortfall from an Auditor's error in property tax distributions for 2009. The loan will be repaid from Casino revenues.*
- *The City ended the 2009 and 2010 years with a deficit, largely due to poor property tax collection rates.*
- *The City was unable to obtain 2010 General Fund TAWs at the customary 80% for the second distribution from Indiana Bond Bank. We were able to secure TAWs at only 67%.*
- *Upon implementation of initiatives for Health Insurance, the City has not realized the projected decrease from \$10M to \$5M. In addition, the current HMO provider projected a rate increase for 2011 of 28%. As a result, the City explored other options to assist in this tremendous financial responsibility.*



# Status: Gary, Indiana

## Major Expenditure Reductions:

- *Utilities have always been a major expense for the City, especially telephone, gas and electric. PFM recommended that processing of utility bills are transferred to the Finance Department. The Finance Department audited each phone bill that was transferred to the department. In this process we discovered several billing errors or abnormalities that resulted in the telephone company crediting the City over \$89,000. As a result of the audit, the Finance Department has also established a procedure for turning on and turning off utilities, and processed new authorized signatures. To this date of the audit, monthly bills have decreased by \$10,000, while additional credits are forthcoming.*
- *The Finance Department anticipates conducting a similar audit with the transition of electric and gas bills in the coming year.*



# Status: Gary, Indiana

- **Cost-Reduction Initiatives:**

- *The City has either implemented initiatives suggested by PFM, or developed an alternative for 2010 and 2011 . Listed below are a few of the MONETARY initiatives that have been implemented.*
  - *Continuation of 5% Reduction in Employee Salaries \$50,000 and above*
  - *Continuation of Multi-Year Wage Freeze*
  - *Continuation of Furlough Days (10) for 2011*
  - *Eliminated over 498 positions, of which 30 are firefighters*
  - *Overtime Reduction for Public Safety – reduced General Fund by \$2,739,248 from 2008 to 2010*
  - *Reduced TAW Interest mainly from reduced Property Tax Levy*
  - *Reduced Uniform Allowance from \$1500 to \$500*



# Status: Gary, Indiana

- **Cost-Reduction Initiatives:**

*(Continued)*

- *Eliminated Board and Commission Compensations*
- *Outsourced Sanitation Services (2009)*
- *Health Insurance Initiatives*
  - *Restructured employee contributions to health premiums*
  - *Restructured prescription drug program design*
  - *Leveraged Medicare reimbursement for kidney Dialysis*
  - *Increased major medical deductible*
- *Fire Department Initiatives*
  - *Fire Station Consolidation – Closed 3 of 14 stations*
  - *Reduced firefighters at Gary/Chicago International Airport from 15 to 8, and transferred cost responsibility of \$185,000 to Airport*



# Status: Gary, Indiana

## Non-Monetary Cost-Reduction Initiatives:

- *Avoid restrictions on Management Rights in Union Negotiations*
- *Working with County to consolidate 911 services*
- *Coordinate and Support Regular Employee Evaluations*
- *Eliminated General Services Department from General Fund; combined some functions with Public Works*
- *Consolidated Park Maintenance staff with Parks and Recreation Department*
- *Consolidated Legal Services in the Law Department and Increased Internal Capacity by Reducing Reliance on Outside Counsel*
- *Bidding Building Service contracts in bulk*
- *Implemented Site Plan Review Fee*



# Status: Gary, Indiana

## Non-Monetary Cost-Reduction Initiatives:

- *Finance Department Initiatives*
  - *Revised Financial Reporting to include Management Discussion and Analysis (included in 2009 Annual Audit)*
  - *Currently implementing new financial accounting software that will provide better reporting mechanisms*
  - *Adopted an Investment Policy and Strategy for Bank Accounts and Banking Services*
  - *Developing Budgeting and Forecasting Capabilities*
  - *Communicating Financial Information in a Timely Manner on Website*
- *Revised Police Department's Comp Time and Sick Leave Policies*





# Status: Gary, Indiana

## Non-Monetary Cost-Reduction Initiatives:

- *Redevelopment Department:*
  - *Using Tax Increment Financing funds more effectively-*
  - *Shifted management of Utility services to Finance Department*
  - *Dissolved Small Farms and Washington Manor TIFS*
  - *Eight (8) other TIF districts' assessed values have been temporarily released*
- *Obtained Energy Grant – invest in energy efficiency improvements*
- *Coordinate Brownfield development with other economic activities*



# Status: Gary, Indiana

## Outstanding Debt:

- *Internal Debt includes:*
  - *Inter Fund Loans – \$9.88M due between City funds, and \$10.4M due to Gary Sanitary District*
  - *Due To/Due other Banks/Funds - \$6.2M*
- *Long –Term Debt totals \$10.9M. The majority of this debt are bonds collateralized by Casino Funds*
- *RDA - Regional Development Authority - \$7,350,000*
- *Current Payables due to be paid upon Distribution of 2010 Property Taxes for Medical Claims, and Utilities - \$2.4M*

*The City's property tax collection has declined. The decline has contributed to an increase in debt or an inability to decrease of debt in a timely manner. As an example, the City had to obtain an \$8.5M loan due to property tax shortfall from a calculation error, while in the same tax year the property tax shortfall due to poor collections resulted in a deficit cash balance and made it impossible to repay inter-fund loans by the statutory deadlines.*



# Status: Gary, Indiana

## Targeted Economic Development:

- *U.S. Steel Coke Substitute Project (Phase 1) - U.S. Steel's reinvestment project entailing the purchase of a 150,000 sq. ft facility to house a "cut-to-length" line and four (4) high-temper mills (\$260M)*
- *Canadian National Kirk Yard Acquisition & Expansion (Phase) 1 – CN's acquisition and proposed expansion of the former EJ&E Kirk Yard for the purposes of creating North American reclassification yard (\$350M)*
- *Gary/Chicago Airport Runway Expansion – RDA's investment in the expansion of the long run-way at the Gary / Chicago Regional Airport (\$29.42M)*
- *Downtown Data Center Project – a private developer, in concert with the City of Gary and the NWI Forum, seeking to develop a state-of-the-art, fiber optic enhanced data center (\$90M)*
- *Land-Base Casino Development – as proposed, would be constitute a state-of-the-art, land-based facility located just off of the heavily trafficked Borman Express. Project seeks to leverage historical performance of casino gaming assets with the increased traffic of the Interstate 80/94 corridor (\$300-\$500M)*



# Status: Gary, Indiana

## Targeted Economic Development:

### ○ *Residential Development:*

- *Dalton & Modern Apartments Project - Renovation of 57 units of affordable housing in Gary's historic downtown district (\$18,025,579)*
- *Serenity Lakes Project – Development of 100 units of independent senior housing (\$12,000,000)*
- *Volunteers of America Project – Development of 38 units of independent senior housing (\$5,464,200)*
- *NSP Rehabilitation - Purchase and rehabilitation of 16 foreclosed homes (\$1,226,131)*

### ○ *Lakefront & Recreational District:*

- *Marquette Park Rehabilitation and Restoration (\$28M)*
- *Buffington Harbor Marina Design - Phase I (\$1.2M)*
- *Marquette Greenway Project: Gary Green Link, Grand Cal Trail (\$1.25M)*
- *South Shore Redevelopment Initiative (\$1.5M)*



# Status: Gary, Indiana

- **Summary**

- *The property tax collection rate is much lower than the neighboring entities and can be attributed to the high unemployment rate, high foreclosure rate, and high poverty rate within the City, as well as its unique urban demographics. Therefore, it is imperative to restore a viable property tax base through economic development initiatives, and a more reliable property tax structure.*
- *The City of Gary has initiated an aggressive “tax-based restoration plan” through current and proposed Economic Development Projects. The Land-Based Casino Project is a critical piece of this project portfolio and thus key to Gary’s plan to restore and expand our tax base.*





# A Break-Through Opportunity!

A Regional Perspective

## **The Northwest Indiana Regional Development Authority**

Bill Hanna, Executive Director



# A Regional Perspective...

- **About the RDA:**

*The purpose of this regional economic development authority is to strategically direct funding toward four catalytic projects: the Gary/Chicago International Airport, Northern Indiana Commuter Transportation District, Regional Bus Authority and shoreline development [the Marquette Vision], as well as other qualified projects.*

- **Impact:**

- *The RDA will be a catalyst to transform the economy and the quality of life in northwest Indiana.*
- *It will help to demonstrate the importance of regional collaboration and cooperation.*

**cat·a·lyst**

*The RDA's mission is to transform the economy and the quality of life in Northwest Indiana*



# A Regional Perspective...

- **Working Together:**

- *“Economic regions matter more than political ones. How to overcome the hurdles that county lines (and state lines) create is one of our biggest challenges.”*

- Mark Drabenstott,

- Director of the Center for the Study of Rural America





# A Regional Perspective...

- **Creation of the RDA**

- *Established: September 2005*
- *Initial funding: January 2006*
- *Supported by bipartisan majorities in both houses of the Indiana General Assembly*
- *Unique to Northwest Indiana*



# A Regional Perspective...

- **Why is the Regional Approach Becoming More Important:**
  - *Competition is Steep (communities are fighting globally to attract to remain viable and desirable locations for people and jobs)*
  - *Times are Tight (communities face serious economic and social challenges with increasingly limited resources with which to address them)*
  - *It's the New "Paradigm" (it's where federal and state funding will continue to be directed)*



# A Regional Perspective...

- **The Regional Development Authority (RDA):**

- *Uniquely designed to meet important needs in northwest Indiana*
- *Jointly funded by the State of Indiana and local governmental units*
- *Focused specifically on needs and opportunities that have the potential of facilitating improvements in the economy, environment and quality of life in this region.*



# A Regional Perspective...

- **RDA's Five (5)**

## **Key Areas of Emphasis:**

- *The Gary-Chicago International Airport*
- *Extension of the South Shore Rail Commuter Line*
- *Lake Michigan Shoreline Development*
- *Regional Bus Authority*
- *Other initiatives that will enhance economic development in Northwest Indiana*



# A Regional Perspective...

- **RDA's Key Role:**

- *Supporting major projects with regional impact that require regional funding sources rather than single community or single county approaches*
- *Accessing federal funds usually requires matching funds that are beyond the reach of local government*
- *Providing a vehicle for pooling both resources and leadership talent to move major initiatives forward*



# A Regional Perspective...

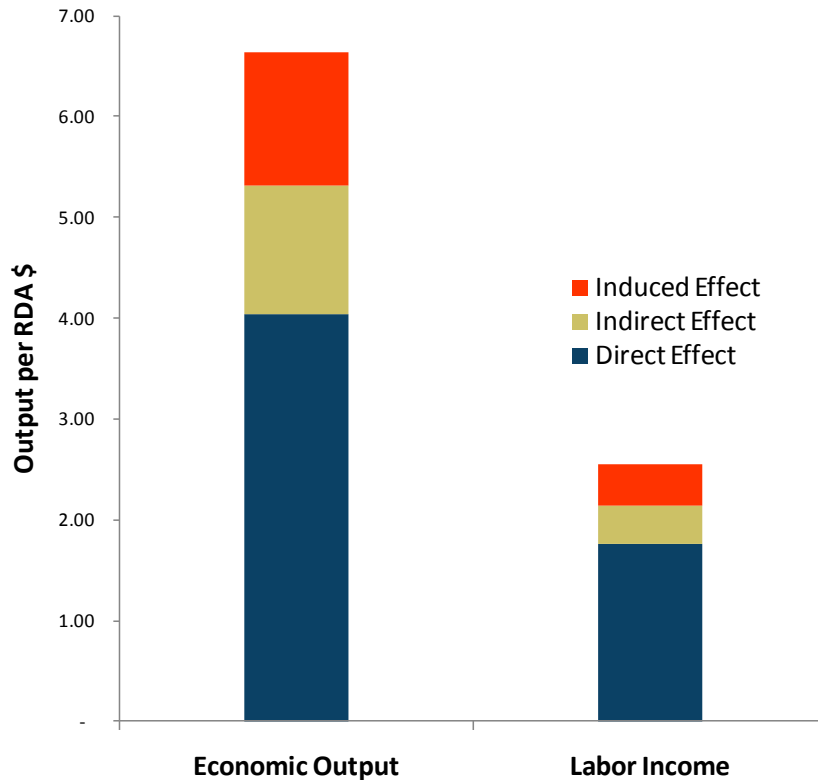
- **RDA's Funding Sources:**

- *East Chicago, Gary, and Hammond; Porter and Lake counties each invest \$3.5 million annually*
- *State of Indiana invests up to \$10 million annually from Indiana Toll Road lease*
- *Additional \$20 million allocated from Major Moves and earmarked for the Gary-Chicago Airport*
- *Funding formula in place through 2015, subject to reauthorization by the State Budget Commission*



# A Regional Perspective...

- Economic Impacts:**



*Each dollar invested by the RDA generates approximately \$6.60 in total economic output, and \$2.55 in labor income.*

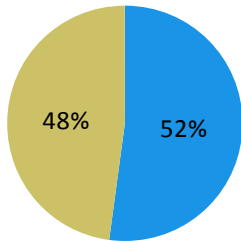
*Economic Output is defined as the value of industry production. It is the total new economic activity stemming from the RDA-leveraged investments.*

*Labor income is the output resulting from the jobs and distributed profits created by RDA-leveraged investments.*

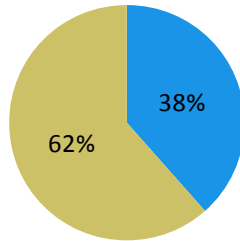
# A Regional Perspective...

- Financial Leverage by Project:**

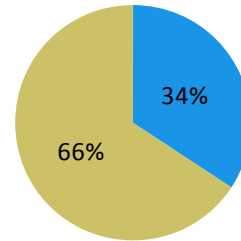
Shoreline  
Redevelopment



Gary/Chicago  
International  
Airport



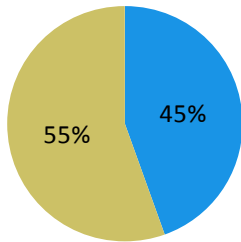
South Shore  
Commuter Railroad



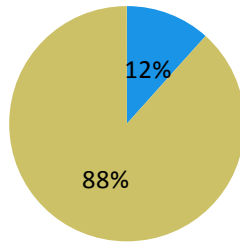
 RDA Funding  
 Non-RDA Funding

*In total, the \$209 million invested by the RDA in Northwest Indiana projects has leveraged approximately \$294 million in non-RDA funds.*

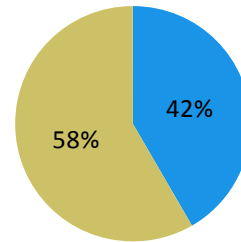
Regional Bus  
Authority



Little Calumet River  
Basin Commission



Total RDA  
Projects

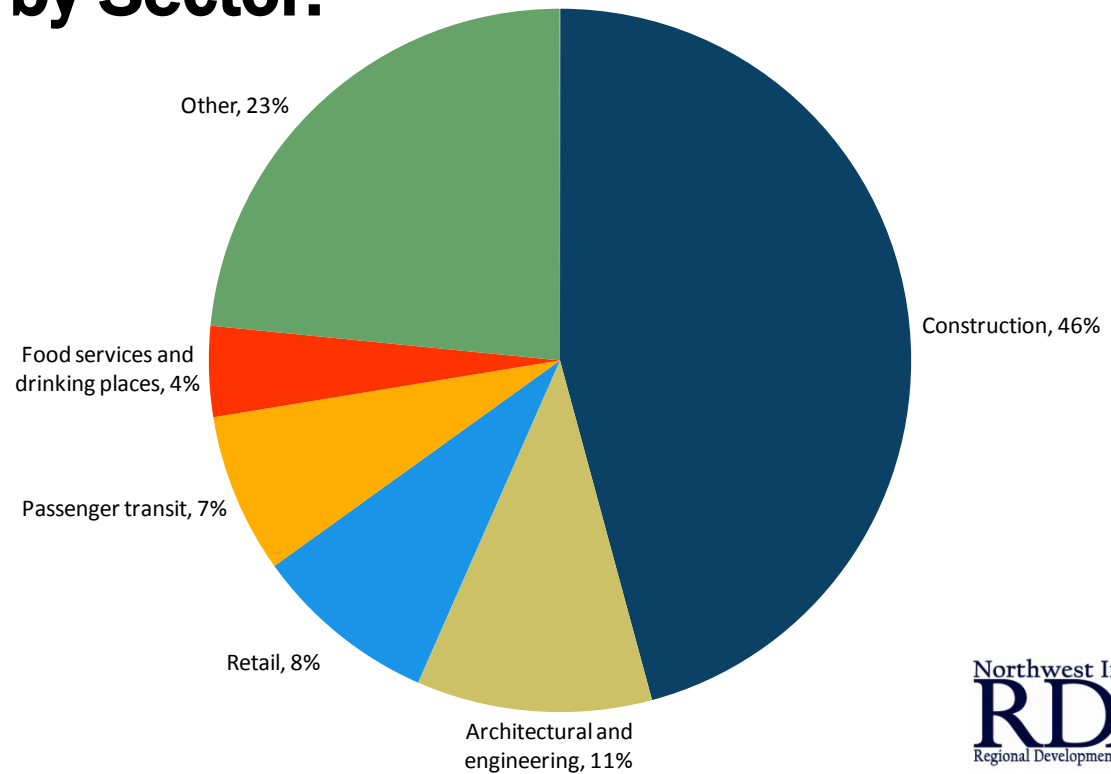




# A Regional Perspective...

- **RDA Investment**

## **Employment by Sector:**



# A Regional Perspective...

- **RDA Intended Impact:**

- *The RDA will be a catalyst to **transform the economy and the quality of life** in northwest Indiana.*
- *It will help to demonstrate the importance of **regional collaboration and cooperation.***



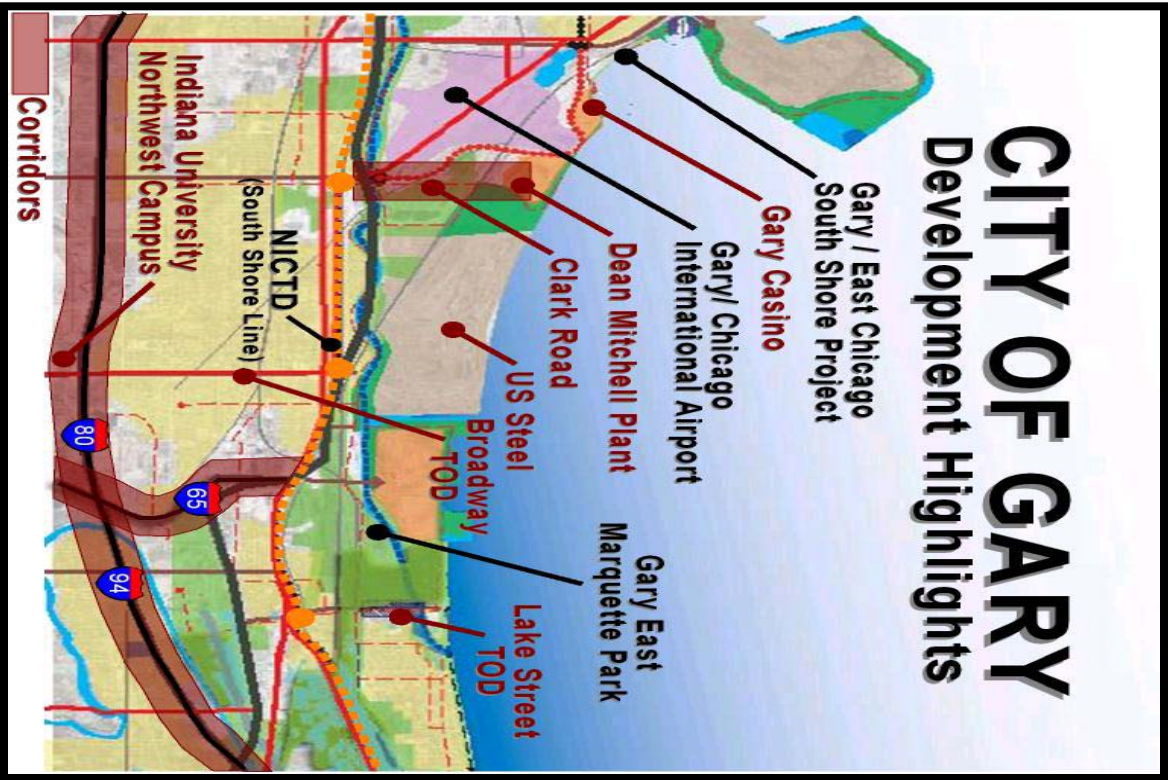
# A Regional Perspective...

## Northwest Indiana Regional Development Authority Projects

PROJECT	RDA INVESTMENT	TOTAL PROJECT COST
PORTAGE PARK	10,073,080	16,073,080
GARY / EAST CHICAGO SOUTH SHORE PROJECT	1,125,413	1,125,413
WHITING LAKEFRONT	22,008,225	46,796,225
EAST CHICAGO	5,880,000	60,280,000
BURNS HARBOR	50,000	200,000
HAMMOND LAKES' PROJECT	31,480,000	54,262,700
GARY EAST MARQUETTE PARK	28,190,000	28,200,000
TOWN OF PORTER	19,414,250	30,700,000
VALPARAISO PAYMENT FOR ECOSYSTEM SERVICES GRANT	20,000	324,874
GARY / CHICAGO INTERNATIONAL AIRPORT	50,290,000	130,520,542
NICTD RAILCARS	17,500,000	51,100,000
REGIONAL BUS AUTHORITY	14,087,000	36,481,679
OTHER PROJECTS	6,215,200	55,777,913
<b>TOTAL</b>	<b>\$ 206,333,168</b>	<b>\$ 511,842,426</b>



# A Regional Perspective...





# The Development Footprint

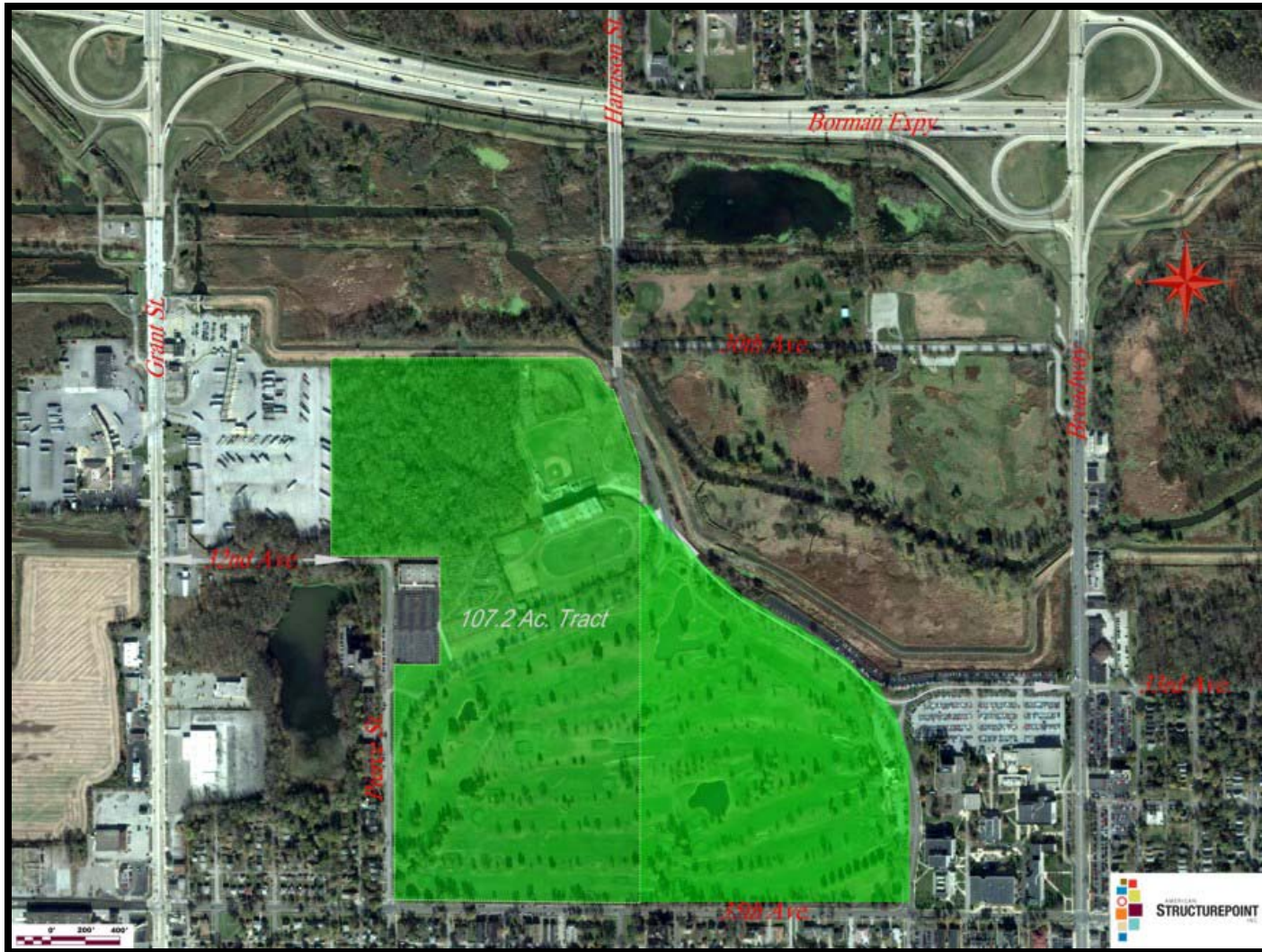
## **American Structurepoint, Inc.**

Christopher Murphy, PE



AMERICAN  
**STRUCTUREPOINT**  
INC.

# Proposed Site...



## Site Analytics:

- Located just south of I-80/94
- Highway currently traveled by an estimated 200,000 vehicles per day
- Footprint includes IUN, Grant St. & Broadway Corridor

## Proposed Development :

- Pavilion
- Restaurant
- Performing Arts Theater
- Parking Facilities



# Gaming Expert Testimony

**Sebastian Sinclair**

Vice-President, Christiansen Capital Advisors, LLC



# Legislative Perspective

**Sen. Luke Kenley**

Chairman, Senate Appropriations Committee





# Closing Comments

**Rep. Charlie Brown**

Indiana General Assembly,  
House of Representatives, District 3



**STATE OF INDIANA  
HOUSE OF REPRESENTATIVES**

THIRD FLOOR STATE HOUSE  
INDIANAPOLIS, INDIANA 46204

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COMMITTEES:  
PUBLIC HEALTH, CHAIR  
INSURANCE  
STATUTORY COMMITTEE ON INTERSTATE AND  
INTERNATIONAL COOPERATION

## **THE CASE FOR LAND-BASED CASINO GAMING IN INDIANA**

*Comments Offered by State Representative Charlie Brown  
In Support of Indiana State Senate Bill 46*

I would like to thank my colleague, Chairman Ron Alting and the august members of the Public Policy Committee for granting this hearing. As a fellow legislator in the House of Representatives, and more importantly a citizen of the City of Gary, I have the unique perspective of being a witness to the concerns testified earlier both here in the Indiana General Assembly and in Northwest Indiana.

Consequently, I would like to offer the following testimony in support of Senate Bill 41, calling for the allowance of land-based casino gaming in Gary, Indiana:

1. State Revenue Will Increase - An improved land-base facility near one of the major interstate highways in Gary will help substantially increase gaming revenue which, in turn, will lead to an increase in gaming taxes paid to the State of Indiana.
2. We believe there is a "Fairness Issue" a play. In keeping with a very conservative premise, we are only asking that you "Let Us Help Ourselves"
3. Moreover, we have always supported legislation and rules changes that were good for the growth of casino industry in Indiana even when such interests were counter to our own. This has included:
  - o Dockside Gaming - Having two vessels at one location in Gary was a competitive advantage because customers who came to Gary could board one of the two vessels at all times. Two casinos in Gary became no-advantage when Dockside Gaming was implemented in 2002.
  - o Improved Hull Standards - We supported the improvements in Hull standards in which benefitted Blue Chip Casino in Michigan City. They built a one story vessel in 2006 that gave the appearance as if patrons were on land. We also supported the change in building standards that allowed Horseshoe Hammond and Hollywood Lawrenceburg to build vessels that give customers the impression the casino is land-based. These vessels opened in 2008 and 2009, respectively.

- Cline Avenue Bridge Closure - The Cline Avenue bridge closure in November, 2009 eliminated the shortest and most convenient artery from Chicago to both Majestic Star in Gary and Ameristar in East Chicago. Relocation to an inland location will mitigate the impact of the Cline Avenue bridge closure.
  - Location and Access - Location and access are the main competitive advantages for Horseshoe in Hammond and Hollywood in Lawrenceburg. Horseshoe in Hammond's gaming revenue is greater than the gaming revenue at Majestic Star in Gary and Ameristar in East Chicago combined. Hollywood in Lawrenceburg's gaming revenue is greater than the gaming revenue at Belterra Casino and Grand Victoria Casino combined. The initiating legislation created an artificial competitive advantage based upon a prime location and access to customers for these two companies. Other casinos, including Majestic Star Casino are at a competitive disadvantage based upon our existing location,
4. Land-based gaming in Gary would *not* be an expansion of gaming. Three casinos, French Lick Resort, Indiana Live, and Hoosier Park already operate on land!
  5. Construction on land is less expensive which allows the casino to build better facilities for the same cost, encouraging capital investment and new and improved amenities.

We believe Indiana's adoption of this bill would result in "Good Public Policy" serving to:

1. Protect existing revenue streams against competition from Ohio and Illinois.
2. Casino expansion is a generator of incremental employment.
3. Casino expansion can attract incremental investment capital from third parties.
4. Casino expansion creates incremental tax revenue for State and local governments.
5. Extend the demographics and geographic reach of the casino entertainment facilities.

The gaming industry's ability to succeed in Indiana in the face of competition is dependent on the ability to attract capital investment. Moreover, Indiana's competitive posture in this industry, which has proven to be a fiscal competitive advantage to that of our neighbors in Ohio and Illinois, is seriously at stake.

Moreover, the City of Gary is in the balance. Again, we encourage you to look favorably on this legislation for the good of our city, our region and our state.

Sincerely,

Rep. Charlie Brown  
Indiana State Representative, District 3

cc: Governor Mitch Daniels, State of Indiana  
Sen. David Long, Indiana General Assembly, District 16  
Sen. Ron Alting, Indiana General Assembly, District 22  
Sen. Earline Rogers, Indiana General Assembly, District 3  
Mayor Rudy Clay, City of Gary

# Questions...

