

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

**One Hundred And Sixteenth Legislature**

OF THE

**State Of Maine**

**VOLUME V**

**SECOND REGULAR SESSION**

**House of Representatives**  
January 5, 1994 to April 14, 1994

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Representative WINN of Glenburn was set aside.

On further motion of the same Representative, tabled pending passage to be enacted and later today assigned.

An Act to Establish a Catastrophic Health Expense Program (H.P. 1473) (L.D. 2001) (Governor's Bill) (C. "A" H-1061)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Representative FOSS of Yarmouth was set aside.

The same Representative requested a roll call on passage to be enacted.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: A roll call has been ordered. The pending question is passage to be enacted. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 328

YEA - Adams, Ahearne, Aliberti, Bailey, H.; Beam, Bowers, Bruno, Cameron, Campbell, Carleton, Caron, Carr, Carroll, Cashman, Chase, Chonko, Clark, Clement, Cloutier, Coffman, Coles, Constantine, Cote, Cross, Daggett, DiPietro, Dore, Driscoll, Dutremble, L.; Erwin, Faircloth, Farnsworth, Farnum, Fitzpatrick, Gamache, Gean, Gould, R. A.; Gray, Hale, Hatch, Heeschen, Heino, Hichborn, Holt, Hussey, Jacques, Jalbert, Johnson, Kerr, Ketterer, Kilkelly, Kontos, Larrivee, Lemke, Lemont, Libby Jack, Lindahl, Lipman, Look, Marshall, Martin, J.; Melendy, Michael, Michaud, Mitchell, E.; Mitchell, J.; Morrison, Murphy, Nadeau, Norton, O'Gara, Oliver, Paradis, P.; Pendleton, Pfeiffer, Pineau, Pinette, Plourde, Plowman, Poulin, Pouliot, Rand, Reed, W.; Richardson, Ricker, Rotondi, Rowe, Rydell, Saint Onge, Saxl, Simonds, Simoneau, Skoglund, Small, Spear, Stevens, K.; Strout, Sullivan, Swazey, Tardy, Townsend, G.; Townsend, L.; Tracy, Treat, Vigue, Walker, Wentworth, Whitcomb, Winn, Young, The Speaker.

NAY - Aikman, Anderson, Ault, Bailey, R.; Barth, Bennett, Birney, Clukey, Dexter, Donnelly, Farren, Foss, Greenlaw, Hoglund, Joy, Kneeland, Libby James, Lord, MacBride, Marsh, Nash, Nickerson, Ott, Pendexter, Reed, G.; Robichaud, Stevens, A.; Taylor, Thompson, Townsend, E.; True, Tufts, Zirnkilton.

ABSENT - Brennan, Cathcart, Hillock, Joseph, Kutasi, Martin, H.; Ruhlin.

Yes, 111; No, 33; Absent, 7; Paired, 0; Excused, 0. 111 having voted in the affirmative and 33 in the negative, with 7 being absent, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The Chair laid before the House the following item which was tabled earlier in today's session:

Bill "An Act Authorizing a Tribally Owned Casino in the City of Calais" (H.P. 1470) (L.D. 1998) which was tabled by Representative JACQUES of Waterville pending the motion of Representative COTE of Auburn to accept Report "A" **"Ought to Pass"**. (Roll Call Requested)

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative DiPietro.

Representative DIPIETRO: Mr. Speaker, Ladies and Gentlemen of the House: I just want to say that this morning has been a very enjoyable morning. I have learned a lot of things about the Indians that I didn't know before. I just want to say that the debate this morning was really worthwhile for those people that stuck around to listen to it. If anybody can add anything new to it, I would like to hear it; if not, Mr. Speaker, I would like us to take a vote on the issue.

The SPEAKER: The Chair recognizes the Representative from Cherryfield, Representative Farren.

Representative FARREN: Mr. Speaker, Ladies and Gentlemen of the House: I will try not to be repetitious but it is necessary for me to speak on the floor concerning this L.D. 1998. I have been opposed to the casino since its first introduction as the people that have been promoting it were aware at that time.

Initially I must admit that I based my concerns on a moral issue but realizing that it wasn't fair to do that or be opposed to it on that issue only. I have done a lot of research, read a lot of articles, listened to a lot of people and I have yet to find anything that changes my mind.

I want to say up front that I was born and brought up in Washington County. I have a lot of admiration for the people in Washington County and their efforts to make a living for themselves and their families. I am one of those workers and my family has been for generations. However, I do not believe that it is good economic sense for Calais, Washington County or the State of Maine in the long term. I have to admit that the construction of the casino will provide some short term jobs.

One thing that I haven't heard much stated during the morning debate was about those that would be addicted to gambling. By the own admission of those that are promoting, including Harrah Company, they state that from two and a half to five percent of the people who utilize the facility will become addicted. I think that was expressed to some extent this morning when they said that there was a fund set aside to treat those that became drug and gambling addicted. I think that is important. I am not about to make my vote at the expense of two and a half percent, let alone five percent.

Please bear with me, I am trying to skip through what I had prepared so I wouldn't be repetitious.

I know that the people who have been working on this bill have tried to put together a package that would take care of all the concerns and I commend them for it. But, I do not believe that it is even possible — and I am sure they would desire that —

to put together a bill strict enough to keep out the unsavory characters that follow this type of an operation.

Another thing that concerned me is that I was in a meeting where questions and answers were being given and this casino will be open 24 hours a day, seven days a week. This gives the opportunity for the working people as well to participate in this gambling if they so choose.

I would like also to — because I believe it is necessary to give some opportunities for job opportunities, if that is what we want and God knows we need them in Washington County, but not only in Washington County, all over the State of Maine. I think it can be done because I think Eastport is a good example of good economic opportunities. They have proceeded to turn their community around and I think that can be done in the rest of the county as well as the state but in order to do that we have got to work together, we can't go off on our own separate tangents.

I think the legislature can play an important role in this as well. We all know or we have all heard (and some of us believe) that at least part of it is true that the economic climate in the State of Maine because of regulations, impediments that are placed in front of people who want to invest their money and provide job opportunities and make a profit for themselves is not the best. The Legislature can change that by loosening up some of the impediments and not desecrate the environment and not advocating that at all. I think when it requires 13 months and then get turned down for an expansion of a lobster pound, that is indicative of some of the problems that we are encountering.

I would like to read as well, in response to the job opportunities, a paper that I received from a professor at the University of Maine. It says, "Opportunities in life can improve in Washington County if we concentrate on investing on our people and natural resources and in working with New Brunswick rather than trying to pick their pockets." That statement may be true and it may not be. "Investing in aquaculture and the Eastport expansion at Estey's Head, addressing educational funding inequities, extending the fiber optics spine to Calais and encouraging value-added forest and marine resource entrepreneurship, these are the strategies to pursue. They build on our strengths and are potential while preserving our strong community and quality of life."

Finally, because again I don't want to be repetitious because the debate has been long, I would like to make it perfectly clear my opposition is no way intended to impede the ability of the Native Americans to enhance their social and economic standing in our society. It is solely based upon my opposition to gambling and a number of unanswered question that I and many other people in my part of the county have. I commend them for trying to bring economic prosperity to their people but there must be a better way and I have cited some of the better ways that we could go.

Again, some of us feel that it will provide economic enhancement but many of us feel it is only on a short-term basis at best and we have done a lot of patch work in this Legislature over the past four years and I don't think we need to do it any more.

Again, jobs are needed in our area of the state but not only our area but all the state as we all

know. We should be working toward more stability and expansion of what we have in attracting new and less risky opportunities.

The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Vigue.

Representative VIGUE: Mr. Speaker, Ladies and Gentlemen of the House: I want to respond to a couple of references made to IGRA this morning by a number of Representatives. This has to do with facts in the State of Maine at the present time. IGRA states that anything that is happening in the state at the present time, the Indians have a right to put into whatever casino they may put up if it went to IGRA, the decision was going to be made under IGRA. We now have in the State of Maine 120 licensed slot machines. These are licensed presently. So, IGRA comes into play, they will be able to have slot machines based on the existence of slot machines in the State of Maine at the present time.

We have in the balcony a number of business people and they are here to support the casino. Now, if these people thought it was going to be detrimental to the area to have a casino in the Calais area believe me the business people would not be here.

Under the worst case scenario, as mentioned by some people, that because of competition that it might not survive, under the worst case scenario what we would have in Calais is a magnificent structure, a building provided by private dollars which could be used for a number of other functions. I have been in a convention in French Lake, Indiana — this is if anybody has followed basketball, the home of Larry Byrd and it is not very big. In there is a casino-type hotel that was built in the early 1930's and it is the home of Al Capone and it was a gambling casino. When the law changed and the ability to gamble was taken away and Al Capone kind of departed the scene, it became a resort. There is a nice golf course there, very very pleasant conditions, nice swimming pool, a great resort hotel. This came to be because of a casino that did not survive the times.

Ladies and gentlemen, thank you for your time and I urge you to support the pending motion.

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Representative ZIRNKILTON of Mount Desert assumed the Chair.

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The SPEAKER PRO TEM: The Chair recognizes the Representative from Brunswick, Representative Pfeiffer.

Representative PFEIFFER: Mr. Speaker, Men and Women of the House: I would pose a question through the Chair. Many of the facts and figures that we heard this morning with regard to jobs and economic development, even including the \$20 million reportedly to be invested by Harrah, are nowhere to be found in the bill. I would like to ask the members of the Judiciary Committee where this information is coming from and I would also like to ask them if they have seen a draft version of the management contract with Harrah?

The SPEAKER PRO TEM: Representative Pfeiffer of Brunswick has posed a question through the Chair to any member who may respond if they so desire.

The Chair recognizes the Representative from Hampden, Representative Plowman.

Representative PLOWMAN: Mr. Speaker, Men and Women of the House: The material that we relied on in making our decision was provided by the casino industry. I have not been provided a copy of the management contract and I don't believe that we as a committee would be privy to that contract, that is between the company and the Tribe.

While I am standing I will say my prepared remarks.

As a member of Judiciary I was concerned that the only information that we were receiving was the industry generated material. The material that I have been reviewing is a study done for The Center for Economic Development for the University of Massachusetts at Amherst, prepared by Robert Goodman and it is entitled "Legalized Gambling as a Strategy for Economic Development." Mr. Goodman has studied over 50 casino operations and their effect on their states. I think we should have taken this into account when we were deciding whether this was the appropriate economic development tool for the State of Maine.

In here Mr. Goodman lists — to use a word that is familiar to all of us, externalize, that come along with the gambling industry. Legalized gambling effects not just the area that it is in and in many cases the words that Mr. Goodman uses to describe the area that is being developed is cannibalization, where you are taking from the area to put it into the casino to watch 35 percent of the take is the management fee, shipped directly to the parent company out-of-state.

Second, he relates how it affects other gambling that we do. It effects the Lottery, many of whom the supporters have mentioned today, what a wonderful General Fund revenue raising thing that we have here called the Lottery. It also effects the harness racing. There are states whose harness racing has had to be bailed out because this competes with the harness racing dollars. I know there are people in this body who are very fond of the harness racing industry. It is harmful.

I think you saw on your desk the paper that I passed out, the quote from the developer saying that the businessmen were thinking that this is going to bring business into their stores, their restaurants and their bars better get a clue. I am not sure if that is exactly the words that he used but if they didn't come there today, they are not coming there tomorrow. The casino industry has analyzed every aspect psychologically of how to keep a gambler on premises. The food is either discounted or given away. If you are gambling and you are on a streak you are not leaving your slot machine. They have decided what color the slot machine should be to attract you to it. How long the rows of slot machines should be so that you won't be too discouraged when walking down the aisle. They have actually released a pleasant aroma into the air which helps obviously make you feel a little better. I am not sure how it works but they showed the money coming in went way up while this was happening.

They studied how often you have to pay off. It is sort of like the rat with the cheese, if you would like to have that analogy. How often do you have to give the rat the cheese to get the rat to keep pushing the lever. I am not exaggerating, they have used those studies to help decide how often a machine — you really can't decide but those are odds — if it pays off and the casino is giving 99 percent pay off, which we are not by the way, this bill is an 80

percent pay off. It is just incredible they have spent as much to try to get people to spend as much as they do.

I am disturbed about it. I doubt that there is a bill that we have passed that created more crimes, creates 23 new crimes. Everyone talks about how many jobs it creates, it creates 23 new crimes. I don't think we have ever passed a piece of legislation that needed \$1.5 million to get the surveillance and the security in, necessary to make sure that the wrong people don't get their fingers in this pie. I have never seen a pie divided up so many ways with no assurance of what the pie is going to be.

I know that we are relying on the traffic from Canada to come over. They are hoping that that will be most of their business and Canada has shown a deliberate attempt and a very successful attempt to recapture every dollar that Canadians would spend here, one by the 11 percent provincial tax and another by dropping their cigarette taxes, incredibly cutting their own tax base in order to keep people from coming over here. I don't believe that it would be very long before the Canadians decide this is a good idea and maybe we should have one too.

Now, since most of this has been covered I would like to read a statement that has been passed to me. I will be brief. By Marry Bassett, a Passamaquoddy woman who asked me to please put on the Record the other side. "You have heard statistics, projections and prognostications. You have heard the desperation, fear, the promises. Now I ask you to step back from all of this and to think of the larger picture. I appeal to your higher self, your humanness. Can you envision a sacred ceremony being held inside a casino? Will my people be able to heal from the oppression of 300 years with a job from a casino? Will my descendants take pride in the name Passamaquoddy if it is synonymous with gambling, with slot machines and floor shows which use our Tribal symbols? I ask you to peel away the guilt which has been an effective tool in maintaining our politics of dependency. If we are a Nation, if indeed we are sovereign then we should be meeting and speaking to the lawmakers as equals and not come begging for a casino. A casino is not an avenue for human development, it is not the way to inculcate cultural pride and is not traditional, rather, it is the worst vestige of European culture. You cannot mend the social ills and the psychic damage which are present in Washington County with a casino. Instead you will exacerbate the very conditions you are in good conscience attempting to remedy. The only way to assist us is to have faith in us as a people who have lived, thrived and survived in this North America, and we still possess the intelligence, strength and pride in who we are to heal our people."

The SPEAKER PRO TEM: The Chair recognizes the Representative from Caribou, Representative Robichaud.

Representative ROBICHAUD: Mr. Speaker, Ladies and Gentlemen of the House: I rise to clarify some information that was given a few moments ago by the good Representative from Winslow and is also in a hand-out that has been given you that says under IGRA Maine cannot bar slot machines. While the sheet does cite the correct passage in statute, it does fail to recognize that under Title 17, section 332, subsection 3, that section is entitled schemes prohibited. If I may paraphrase — the section says, "no license shall be issued for slot machines, roulette or any other policy or numbers games." That

means no license for either charity or for pay out. Under IGRA if you either license it for legal gambling or for charity as we do electronic video games then the Indian Tribe could put in those machines under IGRA but because slot machines, roulette, numbers and policy games, no license is issued for either charitable or profitable purposes then they would not be included. I would be very concerned if there are 120 slot machines out there because that means there are 120 slot machines operating illegally in this state.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Calais, Representative Driscoll.

Representative DRISCOLL: Mr. Speaker, Members of the House: It has been a while since I have been trying to get up, arthritis doesn't help me any.

I am glad to be able to speak to you today as a citizen of Calais. I brought my family up there, I saw them grow up, go to high school, play basketball, play in the band, go away to college, and then stay away.

Some of my boys would have liked to come back to Calais in the Washington County area because they like it down there. But the simple fact of it is that there are no jobs down there. I taught school in Calais for 23 years. In doing so I saw a lot of young people grow up in Calais. I saw those people come to band rehearsal and use second-hand instruments because they couldn't afford new instruments because the City of Calais was too poor to provide them. I saw people down there using — two persons to one book because we did not have enough money in Washington County to give them a decent education. We used to love to travel to the southern part of the state to go into the new schools and the new band rooms and to see the new instruments and hopefully some day maybe we could get some new instruments like the bigger cities and better schools in the southern part of the state had.

After I retired from teaching I thought that maybe I could help Washington County because all too often we had politicians come through, once a year or every two years and promise us the moon. Well, if you do this and you do that and maybe this and maybe that, that the economic development in Washington County would improve. My friends, during the past 60 years that has not happened.

In order to try to help Washington County I ran for the Legislature and I promised my constituents that I would try to find work for our area, try to find (environmentally clean) even 150 jobs would help our area. My friends, that is a hard proposition, especially today, the way the economy in our country is.

When I saw for the first time that we were going to get an industry in Calais, a possibility, and said it was a casino, I had never gone to a casino many times, but I did know that my mother, who used to go down to my sister's, loved to go and stay over night and take in a show, have a nice supper and go in and mingle with the crowd. Although she was 82 years old she enjoyed herself.

This to me was probably — I hate to use this word — was an answer to my prayers because not only was this going to provide 150 jobs but somewhere between 1,000 and 1,500 jobs which — I mean, we can't visualize that east of Bangor. Maybe with Pratt and Whitney to the south or Bath Iron Works, but we realize we are never going to get that type of industry in Calais or the eastern part of Washington

County where the unemployment rate is 18 percent, where down in Representative Look's area, it is 17 percent, where most of the work is part-time work, blueberries, fishing, what they call brown gold, the lumber industry. Those people don't work in the winter time. They draw unemployment. The people that they bring up are on welfare. The future is very bleak, the future is very bleak.

I would just like to take a minute of your time to quickly go down through the history of the St. Croix Valley which is where I live and where the Passamaquoddy's live. The environment is still great and we hope to keep it that way. But, the economics have been going down hill for the past 60 years. At the first of it we depended greatly on ship building, lumber, fish factories, cotton mills, soap factories, shoe factories. Eventually they left, they are all gone and my people moved to Belfast to follow the shoe factory, Freeport to follow the shoe factory. They went to the ship yards in South Portland. During the Second World War they went to Connecticut because, as Representative Marsh says, Washington County people have good work ethics and they love to hire Washington County people. Those work ethics are still there but we can't put them to use because we do not have any jobs. Those people that left to take those jobs didn't come home. My relative, my aunts, my uncles, would love to come back and that is all they talk about but they are living in Boston, Portland, Westbrook, Bath. This might be the answer that those people can return to their homeland. These jobs are good jobs. We have got the Washington Technical College down in Calais and those people come out of that — this is work training, we want work training, we want more jobs but they come out of there and they haven't got a job.

This casino would have a spin-off effect that would employ administration which is coming out of that college. People in finance, which they teach down there; computers, which we know they are going to use; security, food and beverage — we have a course in that down there. Personnel, marketing, purchasing, facilities and customer service, — everything is taught down in the technical college in Calais and could be fed right into this environment, this good economic environment to give these people a chance to go to work and to stay at home.

We have made an attempt in Calais, the city has, they have built industrial parks, they have got grants from the state to entice people to come to Calais to stay. Hathaway Shirt, Dexter Shoe, Ware Knitters all came in.

My good friend, Representative Joseph, lived in Calais for eight years. She loved it there but they couldn't stay with Hathaway Shirt. Why? Because the cost was too great, it was too far away from everything so they moved out. Dexter Shoe moved out. Ware Knitters moved out.

We have a paper mill, Georgia Pacific which has lost over 200 jobs in the last two years. That is a hole in our economy because at one time Calais had a population of 12,000 now it is down to 3,500. When you take 200 jobs out of 3,500 that hurts. That is not the end of it, every week there are people being cut off at the GP paper mill. I don't know where it is going to end, it is pretty shaky.

This is probably the last time that our area will ever have this type of an economic boost sitting right here and all we need is the help from the rest of this state. Just to say go ahead, try it, let us

help ourselves.

I would just like to read one thing to you here — my good friends, the Passamaquoddy's — by the way when I was a young fellow I used to play baseball on the Passamaquoddy Township Reservation and also Pleasant Point and we had a great time.

Early in the 1980's the Passamaquoddy's were instrumental in preventing a nuclear waste dump in the State of Maine. They helped us, we should help them. Give us a chance to help ourselves.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Buxton, Representative Libby.

Representative LIBBY: Mr. Speaker, Men and Women of the House: I will briefly address the major issue which causes me to oppose this bill. This bill, as written, has unemployment and senseless stipulations which make it impossible for my county or counties near me to consider to have a casino. Is this democracy, is it free enterprise? I think the answer to those questions is no.

Are we creating more monopolies in the State of Maine? We have got enough already. I think the answer to that is yes.

Is the bill inherently unfair because there is a north/south division? I think the answer to that question is yes. If I have a town in my county that wants to debate to have a casino and we already have casinos available in Maine then they ought to be able to debate it. So, whoever put those stipulations in this bill — and I understand what the reasons were, I disagree with them. I do not want to stop Calais from having a casino or the Native Americans or anybody else, but if you are going to monopolize them in one area of the state I am going to disagree with it. I think it is inherently unfair and I hope that you will vote against this motion and later on down the line when we come through with something a little bit more fair I am certainly willing to consider it.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Hallowell, Representative Farnsworth.

Representative FARNSWORTH: Mr. Speaker, Men and Women of the House: Even as much time as I have put in on this bill, I too, have learned things this morning.

I would like to just tell you a little bit about the history of the development of this bill because I think it is responsive to some of the comments that the last several speakers have made.

Before we went to lunch Representative Sullivan asked if people had gone to the State Economic Development Office and the Department of Labor to see about the economic development aspects of this bill. Other people talked about this wasn't a good enough deal for the state. I was beginning to get the impression that people perceived this bill as being essentially a state project that would be for the purpose of generating money and economic development for this state. I think it would be helpful to remember that this bill came from the Tribe after they had gone to the Governor in the fall of 1992 (I believe) to seek to negotiate a compact under the Federal Indian Game Regulatory Act. At that time the Governor did not agree that — I am not suggestion that he has changed that but the Governor's position was that he would not negotiate under IGRA. The Tribe's response rather than to go to court at that point was to come to the Legislature and see whether we could get authorization and direction to negotiate with the Governor under the IGRA umbrella.

Clearly the state is still retaining the position that IGRA does not apply here. I think it is clear to people from the debate that there is disagreement over that.

Aside from the disagreement, one of the reasons that I believe the Tribe continued to try to seek to do this by agreement with the state rather than in an adversarial posture is that if IGRA were to be the source and the authority for this, it would have to be located on Indian land. One of the problems that the tribe was facing was jobs for the people who live in the vicinity of Calais on the Reservation.

The only way that this casino can be located in Calais is by agreement with the state because IGRA would not provide that. If IGRA, whether by agreement or by court action, were to be the source of authority for an Indian gaming facility it could not be in Calais and it would have to be some place else.

That brings me to what got me involved in this bill in the first place. As a member of the Judiciary Committee we were presented with a two-page bill by the Tribal Council, Joint Tribal Council for the Passamaquoddy Tribe and the Tribe presented to us the fact that they have done considerable work over the last several years to try to develop investment, economic development and jobs for their people and for the area in general in Calais and on the Reservation. Although the Tribe has brought more money and more jobs to Washington County in the last 15 years than probably anybody else, they have not been able to reduce the rate of unemployment on the Reservation below something close to 50 percent or exceeding it (I think) in the last year on one of the reservations.

Fifty percent unemployment — I ask you to take just a minute to think about what that is like. I have been exposed to some of the figures as most of you have just by being in the legislature of our unemployment, of our AFDC programs, food stamps and so on. I just had not been looking directly at a community within this state facing 50 percent unemployment. It was, I think, the level of unemployment that was part of what Congress was looking at nationally on reservations and the fact that many of the reservations that have developed Indian gaming facilities across the country, those unemployment rates have dropped radically from 50 percent to (in some cases) less than 4 percent is why I believe the tribal council was so committed to the idea that jobs and reducing unemployment was an important part of whatever they did in this regard.

I would just like to take a minute to tell you what I have learned about what the tribe has done for economic development and jobs up there. They have, as you may know, in 1983 they bought the Dragon Products Plant and turned it around and resold it in 1988 and they solved the plants air pollution problems with an innovative scrubbing technology. When they sold the plant they kept the scrubbing technology and now have a new company called Passamaquoddy Technology. That may well produce some investment eventually because it has been (their recovery scrubber) has been endorsed by EPA and the Department of Energy and they have great hope for that. But it is not the kind of activity that produces large numbers of jobs in Calais.

Outside of the Tribal government itself the Tribe's greatest job success has been through financing plant equipment for Gates Fiber Extrusion

next to Pleasant Point Reservation. That Corporation recycles plastic soda bottles, 18 million pounds a year and they recycle them into a spun fiber that is woven into products like car trunk liners. 65 people are employed in high-tech jobs at good wages in that area, one third of them approximately, are tribal members. That project, developing that recycling facility, took years and that is what they have, 65 jobs, that are good jobs and only a third of them are tribal. So, tribal unemployment is hardly dented but there is a major impact up there. They have also made investments in blueberry companies which only provide seasonal jobs. In 1989 they have begun a partnership with a successful clothing manufacturer in Knox County, eventually that may expand to the Reservation but it hasn't yet. They have also investment in DeLorme Mapping Company.

They have done a considerable amount of work with various types of economic activity. I was quite surprised and rather impressed with what they have done.

I also appreciate the difficulty of, in the economic climate we have just been through, the fact that they were able to create that kind of a facility up there. This facility that we are talking about here if it didn't have slot machines, I would suggest, would not be one-third of the difficulty for people. I think most of the rest of the kinds of gaming are troublesome as a revenue source but there is something about the slot machines that bothers people.

I ask you to do a couple of things while you are thinking about this. Just think about how you feel about whether or not we should be able to authorize the tribal government to operate a resort up there with class 3 gambling that isn't slot machines and, see how you feel about that and also think about it with respect to slot machines. I don't suggest for a minute that it is not important to think about the slot machines but in my own process of working this issue I have found that it is very confusing sometimes to sort out how you feel about the proposal from how you feel about just the idea of slot machines.

I think one of the things that our committee tried to do, both the subcommittee and the Judiciary Committee was to present to this body a bill that had been worked through as much as was possible on the technical end of things so that if the facility were approved it would be a safe facility, a cleanly operated facility, a well regulated facility and one that we could have the least possible amount of fear about with respect with what we were doing to our state.

My feeling was that it is not my believe that it is desirable to use any form of gambling. I don't care whether it is the Lottery or horse racing with money or off-track betting or electronic games for state revenues. I agree with people like Representative Kerr that said that we should not become dependent on those kinds of things. But as a matter of fact, the state has already chosen to do that in part. Maybe not to become dependent but I would challenge anybody to put a budget through without the \$36 million worth of lottery money that we had last year or without the \$4 million that we have already got this year for off-track betting or without \$800,000 that is collected for the licensing of the electronic video games, even though they can't collect prize money for them. That is a lot of money

that we have in our budget.

This legislature has made a determination at some level that will partly fund our government on gambling revenues. It seems to me first and foremost that this is an issue of sovereignty to the extent that the Tribal government has decided that their government is in enough need of additional revenues right now to help them with their other projects and to help them specifically with the care of their people and providing the resources for education and hospitals and infrastructure that a government is supposed to provide.

I just don't believe that it is my job to question the Tribal Council's decision about how their Tribe should seek revenues to support itself.

I did think it was appropriate for myself and everybody else here to consider what does this mean for us? What does this proposal mean for us? How would it function and is it safe and desirable and all those kinds of things, but separate from the idea of whether this a desirable funding mechanism for government? We have already decided that for ourselves, I think we should let the Tribes make that decision for themselves. In this regard, this Tribe is one of three states now where there is any issue over IGRA and otherwise every other tribe in the United States, in other states, that are federally recognized and has jurisdiction over Indian land is considered to be entitled to operate a gaming facility as a means of Tribal self-sufficiency.

What I would like to explain briefly is that in the process of looking at this bill, we first just looked at the law enforcement concerns that were raised by people about this proposal that the Tribe brought in. In doing that we formed a subcommittee with members of Legal Affairs and Judiciary Committee and that subcommittee met for a few times during this session then on a volunteer basis, basically, met several times, six to eight times, I would guess, over the summer and into the fall and into January. At each of those meetings I would say there were no less than 15 people. At each of those meetings there was Wayne Moss from the Attorney General's Office, Lieutenant Harmon from the State Police, and there were the attorneys and representatives and usually at least one Tribal Council member if not the Governor or two Governors from the Passamaquoddy Reservation as well as Representative Attean, Representative Soctomah and other members from the Penobscot Tribe. It was a very full and fruitful kind of discussion. Each meeting we would raise issues, put them out on the table and talk about them and go through them. Any issues that weren't worked through at a meeting were put on the agenda for the next meeting. We just kept going and that is how you get (if you were wondering) from a three page bill to a forty page bill in short order.

I think that that group, to the credit, (I must say), of both the Attorney General and the Commissioner of the Department of Public Safety and State Police, who without any question never supported the idea of a gambling casino in Maine, along with members of both Joint Standing Committees who also some of whom don't support this casino. The agreement and the effort was made for the purpose of insuring (if this bill were to be passed) everybody was committed to making it the best possible bill. I think that there was a tremendous effort made in that regard and I feel very good about that.

There have been questions here about the number of

crimes added to the bill. All I can tell you is that in the interest of giving law enforcement every tool that they had ever found and thought desirable from any other part of the country, we put in anything that they felt would make it easier and faster and more efficient for them to persecute any kind of criminal activity. Some of these crimes are simply crimes that are the same sort of fraudulent or deceptive behavior that are already illegal under our system but they are given new language and updated so that they can be used appropriately within the setting of a casino operation and for the purpose of designing those parts of the law, people that were doing that, the AG's office, State Police, the Tribe, were routinely looking at all the laws from other states that already have casinos and getting the latest that they could find.

As I recall, the only thing of substance that we did not agree to that the Attorney General's office asked for and they only asked for it at the last meeting of the Judiciary Committee, just before we took our first vote, was to expand the wiretapping authorization of state law. We felt, given that other people had said that that was not necessary, that there were ways to use that power under federal law and the undesirability of it in general that with everything else we had done that that was not going to be needed to have an effective law enforcement process.

I would just like to say that I do feel that there is no evidence that should trouble anybody here that any Indian gaming facility in the country has been associated with increase in crime due to the operation of the casino itself. There have been changes in criminal levels of activity certainly associated with commercialized gambling but I don't believe that the Attorney Generals' nationally or any other state has indicated that there has been a significant change in the criminal activity level within the state that they can in any way attribute to a casino gaming operation on an Indian facility.

I think you will hear, before the day is out, from folks here who have traveled to and been to some of these facilities and you may share some of the impressions that I had when this started, as the newspapers have said, of the neon lights and sort of an unpleasant, very commercialized, trashy kind of image of what this facility would look like and what it would bring with it. I have to say also that I have been very impressed with the Tribe and its approach and Indian gaming in general across the country as being not that kind of a facility. It wouldn't look like that, it wouldn't bring that, and although there is the need for comprehensive planning within Calais and other areas in order to assure what happens there, I believe that people have had long enough to think about this and they do have those kinds of concerns in mind.

The amendment or the bill, Report "A," as opposed to the first bill that came was — I think it would be unique (if we passed this) in the country in terms of the fact that it does address many of the problems that Mr. Goodman and Representatives here have raised today. When there was discussion about there being no planning in advance for hidden costs to the state, I think this bill does do that. We have \$1.5 million in there for state regulatory costs that includes the State Police, the Attorney General's rule making development as well as the cost incurred by taxation in auditing and accounting for funds and I think that

that amount of money just shows itself what kind of regulation is involved in this facility because it was my understanding that is twice what most other states consider their law enforcement costs are. That money also will be paid up-front the first year so it doesn't get paid out by the General Fund and then reimbursed. It is paid before the year starts, before the casino operates and that is why the first year has a \$25 million exemption, in order to allow the Tribe to recover that up-front payment in the normal way.

After that, the cost for state recovery of its costs or payment of them are to be provided through the budget process, an appropriations process would set the amount that the state needs for its regulation costs and that would come out of the tax payment that comes in every year.

The bill essentially also does look at some of the problems in other areas where, as you have heard, most of the casinos in this country that are Indian gaming facilities there is not a penny of tax revenue that goes to the state from the casino revenues themselves because it is not allowed under IGRA as anything that the state can demand. The state doesn't have the right to do that.

Connecticut is the only other state that has that and they have it as a result of settling a law suit over the slot machine issue and they also have it as a result of the fact that the state agreed to a monopoly. But, even in Connecticut what they agreed to gives the state general fund 100 percent of the dollars they take. I am very proud of the fact that although this was not the original design of the bill and I can't really claim any credit for it but I would say Representative Caron, the Governor and many other people that worked on the economic element of this in the last several weeks actually looked at this money coming in, noted that the bills purpose in the first part as far as Tribal revenues, have to be used for Tribal governmental purposes, charitable, hospital, schools, educational purposes. When we looked at what we were going to do about the state revenue and people said we should get more money out of this or as Representative Kerr said, we should make a better deal for this state — what people ended up doing with that was they said we need to look at the impact on the surrounding area. There will be an infrastructure cost in Calais, there will be a need for some more development up there. I think that this bill does either generate it directly or it requires it directly. As has been pointed out, substantial money is going to that area.

The bill doesn't have in it the \$20 million that Harrah is agreeing to loan the Tribe to cover the cost of the construction. It does acknowledge that figure by the amount of the exemption and it does also anticipate that \$20 million will be generated for the City of Calais and the Rising Tide Investment Fund. Those two things, I think, are economic development in the sense that Calais, just where else are they going to get \$40 million coming into Calais? At the end of five years they will still have the resort facility regardless of what is there.

The jobs that are crated — I am not sure where people got the information that these are dead-end jobs or that these are low wage jobs. It was stated this morning on the floor of the House that that was the case. The Harrah's Company has made very clear and shared with us some of the figures from their other facility to the extent that I personally feel

extremely comfortable that this is truly a labor intensive facility and we do know about those because we have Bean's that is open 24 hours a day, 365 days a year. That takes a lot of people. So, when they say 725 jobs, I think they mean 725 jobs. They tell us that they expect absolutely no more than 10 percent of those jobs will go to Harrah's people, I believe at one facility they have under seven percent, I believe it is, one has five something and the other has six something. I think that 10 percent is a very small number of these jobs to go to people from Harrah's. Which by the way, has an excellent reputation for training its employees and for working with its employees to bring them along. I think that we can expect that people in Washington County and within commuting distance will get the rest of these jobs.

With respect to the Tribe, my understanding is that the Tribe has in its unemployed labor force 150 to 200 people. So, the most, if every single person in the Tribe were hired, out of the remaining jobs (my math is hard when I am talking) but if you take 725 and subtract ten percent, then round that out to 650. If you subtract 200 from that that is 450. That is a lot of jobs also for Washington County, for the Calais area. That is not including the jobs that would be generated by suppliers, by people providing ancillary services to this facility. These jobs are not — actually, I would pit these jobs against any jobs that we normally generate when we do things like spend \$7 million on tourism. When we spend money on tourism I have always had the picture that a great many of those jobs are going to be waitressing, serving alcoholic beverages, in a seasonal job, part-time wages, no benefits, no security, no retirement. These jobs are year-round jobs, they are full-time jobs. The salary which is also comparative to their other facilities, one third of them would be \$14,000 to \$20,000. One third of them would be \$20,000 to \$28,000 and one third, \$28,000 and above. The average, as was said this morning, somewhere between \$23,000 and \$25,000. That kind of average salary plus health benefits, plus retirement, plus two weeks vacation or including two weeks vacation but paid, I think there are plenty of people in this body that would question whether those are dead-end jobs no matter what they are doing and who wouldn't feel that is better than being on AFDC, being unemployed, being out of work, just in general without hope. The kinds of jobs — I think you have hand-outs of these, are all kinds of jobs and they are jobs that people are now getting trained for up there like the chef program at the Technical School, but they are going to San Francisco or some other big city where they can get cooking jobs easier. Some of those people can stay.

I have watched a number of jobs bills come before the Legislature in the time that I have been here. I don't recall a bill that had any more direct jobs in it, the highest that I recall was 600 and something for the BIW dry dock. My recollection is that there were 425 or so for the Bangor DFAS facility which hasn't happened yet but none the less. I think the wages there may have even been comparable to these actually.

There were 200 and some for something we did for Pratt and Whitney several years ago. There were 300 and some at stake at Kyes Fiber. The list can go on but I don't recall any, certainly much greater than 725, not counting the other jobs. I hope every

single person thinks about that, I am sure you will, but in terms of fairness as well as just what you feel about this particular project.

We are not looking or being asked by these people for tax breaks when we give these jobs. We aren't being asked to pay out state money to do something in advance for these people. We have not made it a requirement on any other — we didn't make it a requirement on the tourism bond, we didn't make it a requirement on any of these other jobs that those industries come in and pay for any road improvements that might ever happen in relation to that facility. We didn't make it a requirement that those people come in and pay in advance for any possible other cost that might be incurred.

In this case the tribe has made a tremendous effort to make sure that its good fortune would be shared with people in Washington County.

I asked, actually, to have this investment fund called the Rising Tide Investment Fund because I felt it was the spirit of the Passamaquoddy approach to this, that they are understanding and believing that everybody should share in this. I think that the fact that people were readily willing to accept sustainable economic development as a component of the criteria for the use of the investment money is also important. My, sort of analogy to sustainable economic development here is that if you have a rising tide and maybe you are doing well while the tide is in, sustainable economic development would make sure that when the tide is out the clam flats aren't poisoned or that the water is still clean and you can fish in it.

I think that the monies that are generated by this can be used for the kinds of things that everybody wants to do for sustainable economic development. Without a \$20 million bond where are you going to find more money for aquaculture or where are you going to find more money for some of the natural resource protection? The sustainable economic development language in this will also allow people to use this money to do things like conservation easements, protect areas up there that are part of the attraction naturally of the area.

I honestly have to say that although I was deeply troubled by this thought of having state revenue generated by what I would call gambling, that my final analysis is that this is the Tribal request for a way to generate money to support the tribe. They are sharing this in a responsible way and in a very generous way, in my opinion.

There is a set aside in here which I think the tribes are willing to look at and deal with if it does not prove to be adequate but for the treatment of people with addictive behaviors. We do not ask any restaurant that opens with a bar in it that they do an extra set aside for anybody who may develop an alcoholism problem as a result of that bar. We have not done that with off-track betting. I recognize there is a problem and I think that is important. But, I also think at the same time for every person that may develop an addictive behavior from this there are probably 50 more that will reduce the need for whatever addictive behavior they developed as a result of being out of a job.

I think that this is not a simple question, it is not an easy question but I appreciate the fact that the members of this body (and I am sure the other body) are taking the time to say what they have to say, to think about it and to give it full

consideration.

I ask that you continue to do that and give it your best effort and I hope you will support Report "A."

The SPEAKER PRO TEM: The Chair recognizes the Representative from Lewiston, Representative Aliberti.

Representative ALIBERTI: Mr. Speaker, Colleagues of the House: I have a knack of being different in my approach in making legislative decisions and being accountable for those decisions.

I now support Report "A" of L.D. 1998. Was it due to the pressure of the legislators? The answer is no.

Was it due to the countless fliers that came across this desk day after day? That answer is also no.

Was it the legislative lobbyist that continuously asked us to support their particular areas of concern? That answer is no.

Could it have been Representative Driscoll who made such an eloquent plea as a part of that community? Could it have been Representative Townsend who made one earlier this morning and later on in the day? No.

Last Monday towards supper time the telephone rang and I answered the phone. On the other side of the line was a young lady — how do I know she was young? I just had that feeling in the way she presented herself. After the initial dialogue of introduction and socializing a little bit and my trying to get some information, the type of person I was speaking to she said, "I have the greatest opportunity that I have ever had in my life right now." I said, "What is that?" She said, "I have a chance to invest in an apartment complex." What does that have to do with this? Representative Farnsworth talked about economic development and everything else. I didn't hear too much about that personal development opportunity by the people in that community. This young lady was very excited and being given the opportunity to start this apartment complex. I continued to ask her some questions about getting a responsible answer from her and I became more and more impressed. I knew then and there that I would support the casino. I know I have a problem with determining the role of IGRA, the state — I have a problem with that but I could care less about that. I have made up my mind. I was not convinced by the respected legislator from my own community but I was convinced by this young lady's communication with me last Monday. I just wanted to share that with you.

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At this point the Speaker resumed the Chair.

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The SPEAKER: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The Chair recognizes the Representative from Madison, Representative Ketterer.

Representative KETTERER: Mr. Speaker, Colleagues in the House: It has been said that there are three

reasons to vote for Report "A" — jobs, jobs, jobs. 700 direct and some 1400 more indirect jobs, jobs that can be taxed, jobs that can put people to work instead of having them sit at home watching television. There are other reasons why I ask you to support Report "A" on this bill. I was one of the signers of Report "A" from the Judiciary Committee. Fundamental fairness to Indians. The only federal economic initiative to benefit Indians in the history of this country has been Indian gaming. The Indians in this state from 1820 to 1980, frankly, have missed the elevator and got the shaft.

The simple fact is that Indian gaming in other states has been lucrative and successful for any Indian Tribe associated with it.

If you are in favor of jobs and economic development, you should vote for Report "A." If you are against casino gambling and want to control its growth Report "A" is your best bet. No other state in this nation has passed legislation such as this that will permit and regulate Indian gaming.

The Attorney General's office tells us that if the Indians don't get what they want here and bring an action in Federal Court under the Indian Gaming Regulatory Act of 1988 that the State of Maine will win that case. I would respectfully suggest to you that there are lawyers in this body and lawyers elsewhere who don't share that view. The simple fact that there are a number of lawyers, well respected lawyers who cannot agree as to whether or not the conflicts between the 1980 settlement acts and the 1988 Federal Legislation, the conflict inherent in those, whether or not Maine would be included, tells you at the very least that there is a conflict that we put ourselves at risk if instead of acting legislatively we rely on the courts.

In cases in Connecticut in 1990 and in Wisconsin in 1991 the Indians were meritorious in their claims with the applicability of the 1988 legislation involving Indian gaming. We run the risk if we vote no on this proposal that we could take into court and that the Indians do prevail because if the state prevails it is going to be the first time that they have. Indians have been remarkably successful in using the Judicial process. There is a reason why that is the case, because there are federal mandates and federal statutes that require that when legislation is going to be construed it limits Indian sovereignty and Indian rights then it must be construed very narrowly. The state is not postured to win a case of this kind. We put ourselves at great risk if we rely upon the courts.

The choice is clear, if you support this bill we can regulate, control and tax the Indian gaming operation. If we rely on the courts we don't get the revenue, we don't get the control and we are simply left to whatever the courts are going to give us. The tax on that is going to be zero, the regulation is going to be zero and we may end up with casinos throughout the State of Maine that are wholly unregulated. This is an undesirable effect, we can do something about that, we can do it today by voting for Report "A." For those reasons I ask you to join me and vote for that Report.

The SPEAKER: The Chair recognizes the Representative from Fryeburg, Representative True.

Representative TRUE: Mr. Speaker, Men and Women of the House: I would like to present some facts and thoughts that are a little different than perhaps you have heard all day long.

I came into this picture as a member of the Legal Affairs Committee as a few of us were asked to participate with the Judiciary Committee to work on this particular bill. Before that time, and up until now, I have traveled on these four roads that I have heard and the highways of the only two ways of getting to Calais. Some day I would like to take those people with me and I will show them a way over the mountain whereby there are other ways. I have done this for thirty years. That was one of the main reasons that I volunteered for this committee. I have learned a great deal.

I have signed to certainly support this because in my opinion it is the best economic package available. I know you have heard this before. I have heard speeches today about the casino and it is not the answer to the people in this geographic center of our state. Well, I ask you to think for a moment — as I stated, I have been going here for 30 years and this area has needed economic help for some time. Probably nearly as long as that. Yet, how many of you can remember when an economic package has been open to help the job climate north of Bangor? Yet, we, the Legislature, has passed many measures to help our state Bangor and to the south. I have heard other speakers say that it is unfair if the other sections of Maine do not have the same opportunity to open a casino. It would seem to me fitting that we pass this bill to help this section who has not been helped before.

Another question that I had in thinking about talking this afternoon was do we have gambling now? Certainly I don't think there is anyone in this body can say that we do not. Lottery, bingo, other games of chance, chances which I am sure you know about.

I have had the experience of going to Las Vegas, New Jersey and Foxwood. Before you jump to conclusions I am not a gambler and I don't have that affliction. I drink rarely and I never smoke. That has allowed me to put aside \$11 a week to take these excursions. To prove I am not a gambler, at Foxwood, I forgot how many points I put in the machine, it came up, like the new machines do, and it looked like it was tilting and everyone ran over and patted me on the back. "You just won \$1,000." Much to my chagrin if I had put three coins in I would have had \$1,000, with two I got nothing. I need a book on gambling.

For the last week we have had more literature given to us. In fact, I think if the people who emptied the waste paper baskets had kept all of this we could have floated a bond that would have built the casino. A lot of this was on white paper which I think is cheap or cheaper than the psychedelic paper that I have been getting since. As far as I am concerned I think back and correcting papers — as a teacher of history, I used to write on the side lines of their papers, "A" for regurgitation of the facts. "F" for not setting up this paper as I asked you to — because that is what most of these papers were, regurgitation of the facts that somebody else had written.

I had heard the challenge of the fact that casino people did not have reputable people to study whether or not it would be favorable to have a casino in Calais. Well, I have been in business and been in business a long while. I can tell you right now that the Wharton School of Business is normally thought of as being very reputable. I read closely, Mr. Goodman's report. I am not sure — I didn't check with the University of which he lectures of whether

or not this is his attempt to get his doctors thesis and that is what happens when some of the people try to do this, they try to find something that is certainly arguable. I remember reading in the paper quoted from someone in Old Orchard that he came free. I would doubt that.

In many of the papers and things which I read many things were suggested but nothing actually proven. In the paper that I heard read today dealing with Harrah, I heard all sorts of accusations in it. I was waiting for the final paragraph to see whether or not they were found guilty or not. I don't believe they were.

Years ago I stopped trying to legislate social mores. How long have we as people all over the United States and certainly in Maine tried to control drinking, drugs, and now our newest problem AIDS? What about the people who suffer from bulimia or anorexia? If we took the numbers of the people who have these particular afflictions I would almost be a betting man and bet that those people who are addicted to gambling would be if it was a percentage of every 1,000 people that they would be on the bottom of the list.

Lastly, I would like to speak about this area. Having traveled it 30 years I can remember the up's and down's of Calais in their attempt to make their Main Street very presentable and 99 percent of the storefronts were filled. If you go down the highway through Robinson and go all the way down to Eastport, I can remember when they had a renovation project and they too did a great job with the Main Street. Last year I went down and I found that probably 90 percent of those stores were also vacant.

I believe in Maine and have since I traveled over the Kittery Bridge 46 years ago returning from World War II and never wanting to leave again, and I haven't. Yes, it would be great if we had other avenues. I have been waiting for these things to come forth but I haven't seen them. It is my hope that we, the members of the Legislature will support this bill and this report. I must remember words that my good wife keeps saying to me when I go to speak and that is, "Do not be like the rooster who thought the sun rose only to hear himself crow." So, I will stop crowing.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative O'Gara.

Representative O'GARA: Mr. Speaker, Men and Women of the House: I have already told Representative Townsend that I had quite a bit of material I would like to discuss with you, most of it has already been said so I would like to just touch on three items very briefly.

First of all, quite a bit of discussion today has been on the legal problems surrounding the casino and the building of it. Actually, I think one of the opponents earlier — I would like to recount just a little bit of what he said, may have handled that question best, however unplanned it was. In his comments, Representative Faircloth acknowledged that the bill that we are considering, Report "A" is an "excellent example of how to regulate casinos." While I wasn't looking for such a statement from an opponent I agree with that statement and I believe that that assessment an accurate one. So, in my judgment, the legal problems aren't an issue in my case at least.

Another comment was the proliferation of casinos. I think Representative Cathcart stated that very

clearly as well. I want to remind you of that, she pointed out that this bill only allows the one casino. As I have realized from the start, as others have as well, if there are other requests then they will have to come before whatever legislature is sitting at that time and they will have to stand on their own merit. The point I want to emphasize that she said earlier which I think is a valid one, that at that time whether it be a year or two or however many years, that legislature, whichever one it might be, will have the experience of this casino to fall back on and to look at.

Social issues have come up over and over again about the impact the casino will have on the area. I don't remember exactly which document it was — we have just heard from Representative True and others and we certainly have lots of material. I would say this to you about the social issues. On one of those documents it did point out (and I will repeat it in my own words), aren't we all well aware that Washington County already has an incredibly high unemployment rate. Aren't we already aware that they already experience the social problems associated with poverty, namely alcoholism and drug abuse, domestic violence and other criminal activities. I would ask you, how could it get worse?

With this bill we have a chance to help them to do better. What this bill is about, in my judgment, is exactly what Representative Pouliot, Representative Townsend and others have said, is putting our actions where our words have been, at least all the ten years that I have been here and really doing something about all those things we have been talking about, giving the Passamaquoddy Indians and the people of Calais a chance for jobs, giving them a chance to get off the welfare rolls, giving the county a chance to turn things around. The majority of the tribe wants it, the majority of the citizens want it and I believe we should trust their judgment.

We have talked about safety quite a bit. While I haven't been to Las Vegas a large number of times, I have been there. Many of the few who are still in the chamber know my wife quite well and my wife is not exactly a person who loves to roam the streets at night, especially in a strange city. It was very difficult on the first night to get her to even want to go outside, but after one evening I was finally able to convince her and she was as comfortable as could be. Those who are talking about the violence and the crime that is rampant on the streets of Las Vegas or Atlantic City, outside of the casino — I can't tell you what goes on outside of the casino area in Atlantic City — are telling you wrong, the casinos aren't trashy. In my judgment the streets aren't trashy, they are a little more glittery than beautiful downtown Westbrook, yes, they are. The food is excellent, the people are wonderful. The security is something you don't even think about all day long or all night long.

Finally, I would just quote from a couple of the documents that we got that Representative True mentioned so many that we have, and several others have too, from a couple of the comments that we received that I think boils it down for me. "The most important issue has been resolved. This development is manageable, it can be built without fear so long as the state remains vigilant."

Representative Bailey, early in the day, expressed his support and his confidence in the State Police. Since I have a great amount of confidence in

Representative Bailey I share his confidence in the State Police ability to maintain that vigilance. "The only question remains is whether state legislators, once they have weighed the risks and advantages and found the risk work taking, are willing to make a commitment standing behind the tribe and the people of northeastern Maine." Finally, in another article, "The casino should be considered for what it is." That is what I have been trying to do through all these documents, "one business proposition to invest \$20 million in Washington County creating a few hundred jobs in a chronically depressed part of Maine. By voting for the project, we, the legislature, will be supporting a single opportunity, not a final economic solution. There will continue to be room in that county for additional development and the activity created by the casino may help bring it about."

Finally, I would just say this, we have heard several of the opponents today talk about reports and experts. It seems to me we have a lot of experts out there, in my 23 years of teaching and over half of my 62 years in government in one form or another I have come to the conclusion that you can get a report, an authoritative, written, unimpeachable, beautifully professional, report that says what you want it to say any time from any one because there are experts out there who are capable of doing that.

In my judgment, many of the reports that have been alluded to today have been used in just that way. I think it is unfortunate, I think we are avoiding the issue and that is the issue of depression in that area that we can help finally by our vote today, we can say we have done something for an area that we have been talking about doing something for a long time.

The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Foss.

Representative FOSS: Mr. Speaker, Ladies and Gentlemen of the House: I know you have all seen on your desk a copy of the U.S. News and World Report of March 14. I think the chilling words of a Las Vegas casino owner capture the essence of what I think is wrong with bringing casino gambling to Maine. He said in this article, "we target everybody, that is the business I am in. Money is money, what is the difference if it is a Social Security check, a welfare check, a stock dividend check?"

In my opinion we don't want that attitude in Maine, period. I think we care more about people than that. I do agree with all the speakers who say we need a state-wide strategy. Representative Bowers distributed a list of the unemployment rates, clearly Washington County is not the only area suffering. We need to have that debate, we should be having that debate now.

Last week when we debated cutting the tax burden in this state, which would have drawn jobs all over this state, I think that lasted maybe ten minutes, that debate. I think we need to have the courage to make decisions right now in this body to turn down the casino proposal. I know there has been a suggestion we send it out to referendum but I don't accept the politics of the referendum because of the enormous amount of money that has been spent to promote casino gambling in the corridors of the capital. I think it would be a very lopsided discussion publicly.

I would like to pose a question to any supporter because we have had a lot of discussions in the

Appropriations Committee about paying the bills for indigent clients and for corrections over time because of the number of increased crimes being created. The bill, Report "A," imposes an excise tax, it raised \$1.9 million and the bill immediately spends \$1.85 million, so clearly there is not money there for law enforcement or corrections. It creates five pages of new crimes, five pages in Report "A," pages, 23, 24, 25, 26 and 27. Page after page of new crimes that are committed only in casinos. Clearly there has got to be an increased cost in the corrections department. Who will pay for the lawyers of those who have lost all their money and become indigent? We had to put several million dollars into that account this year to pay for those clients. Who is going to pay for the prison time, even the fiscal note on the bill says it is \$45,000 for certain crimes and \$8,000 to send each Class D criminal to jail, etcetera. Who is going to pay these and who is going to build the prisons to put them in? I think it is time we asked those questions of those who want this bill.

The SPEAKER: Representative Foss of Yarmouth has posed a question through the Chair to any member who may respond if they so desire.

The Chair recognizes the Representative from Eastport, Representative Townsend.

Representative TOWNSEND: Mr. Speaker, Men and Women of the House: I am a little bit taken by surprise as I have seen a lot of laws passed here in my six year in this House and a very few times have I heard who is going to pay for this and who is going to pay for that.

As far as money for the state police to keep this in order it has already been stated here a number of times on the floor and in caucuses as well and it is a pretty clear thing to look up in the bill — the projections on this is \$40 million and they would have to go below \$15 million before the State Police don't get their money, they get money for the new offices and to run this, that is already clear. I would state that if that is going to be a question and a point for this bill then I want it to be a point for every law we have passed in the past six years and in the future.

Once again, I can't help but feel (and it is just my opinion) but I can't help but feel that we are being used just a little bit differently here. I see tax money going into many many projects in this state without a blink of anybody's eye on the floor of this House. I see a lot of laws being passed with new crimes. Very seldom do you hear this question, "Who is going to buy the new jail?" and "Who is going to do this?" Yes, those are serious questions, there is no question about it but none of them should be used as excuses to deny economic development in Washington County. I think the answer to all those question is this, yes, there are going to be people hurt, yes, there is going to be people committing crimes. With any type of economic development you get crime because crime follows economic development, crime follows money. 85 percent of the folks in Washington County that work for a living, 85 percent who can handle the responsibility of spending their pay check in a responsible manner to take care of their families should not be held economic hostages for the few that cannot handle it.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Faircloth.

Representative FAIRCLOTH: Mr. Speaker, Colleagues

of the House: I just wanted to mention a couple of points. First, Representative O'Gara, said it might be unintentional on my part to say that this is an excellent bill on how to regulate casinos. In fact, no, that was very intentional on my part. As a member of the Judiciary Committee, as many have, I compliment Representative Farnsworth and many others who have worked on this bill. I was involved with adding law enforcement provisions to this bill and I stand by that statement.

I have never argued that it is not a well crafted piece of legislation if one wishes to have a casino but I do feel that there was not an adequate discussion about whether and under what circumstances one would have a casino.

I would respectfully disagree with some of the points made where I have heard people say we should "not think about casinos spreading." I think that is even a quote from one of the members of the House. I think indeed we should think about that. I think that we do need to listen to experts in that regard. I tried to look at this in a very objective fashion and look for experts not trying to find a result from those experts but trying to find what they would tell me. Again, speaking to someone like Professor Nelson Rose at the University of Nevada, he made very clear to me that he thought it held true that when states allow one casino they tend to allow several. Economists told me casinos with localized markets are economic cannibals, they increase poverty and that is my concern.

I also made a third point which I have also maintained that a casino in an isolated area with a wide guaranteed market and many out of state patrons can foster economic growth and I have never changed my position in that regard.

But, I believe — again a fourth point, that only a Constitutional Amendment can limit that. One of my problems is that it seems somewhat strange to me that we are not supposed to listen to independent economists. We are not supposed to listen to independent experts but we are supposed to listen to the paid lobbyists like Mr. Tureen. I like Mr. Tureen, I think he is a good man. I think the lobbyists for the casino are honest people. I don't think they lack honor in any way, but they are pressing a point of view and that is what they are going to do. But when you look at what the independent experts tell you I think the evidence is extremely clear that casinos do spread when you allow them in a state and that is one of my foremost concerns. I am surprised people say we should not think about that. We shouldn't think about the future? We shouldn't think about future legislative sessions? I think we should. I don't think we should just be thinking into this next session. I think we need to look five, ten, twenty years ahead into the long term economic implications of our actions. I feel very strongly that when you do that we need to have greater assurance and this bill lacks that, that there will not be a spread of casinos. I think we should listen to people like a journalist, a Naive American journalist from the State of Minnesota who said that at first, at first, unemployment went down, welfare rolls went down but that now they are going back up and they are staying up. I think we need to listen to that. You can call them an expert or whatever you want but to me it sounds like he is a Native American journalist from the State of Minnesota who has some knowledge that we should

listen to and he is objective, he is not paid by anyone to tell me what he is telling me or to write what he is writing in his publication. That is why I am coming by this viewpoint.

I also want to address some concerns about the legal issues. When I say legal issues I mean the points made about IGRA. I would want to respectfully disagree with my friend, Representative Ketterer, about the possibility of using IGRA. One point that has always puzzled me about the argument that immediately the tribe could go to IGRA in this state is that if they could, why wouldn't they? There are more than 100 Native American casinos in the United States today. They didn't go to their legislatures and ask to have a casino. Why? Because they knew quite correctly that under the Indian Gaming Regulatory Act they had an immediate right but if you listen to the Department of the Attorney General, here is a memo from Wayne Moss — he states, I quote, talking about IGRA does not apply here, he said, "Our law is not like the Rhode Island law situation that has been referred to, we have a specific provision that states that these other laws shall not apply, such as IGRA, unless such provision of such subsequently enacted federal law is specifically made applicable within the State of Maine." You don't need to be a lawyer to know what that means. It is a fairly straightforward statement. "There is no such provision." Again, this is quoting from Mr. Moss, "since IGRA contains no provision to make it specifically applicable within Maine, IGRA simply does not apply here." Now, is there a guarantee that if this matter goes to litigation that the Tribe will not prevail? No. But, again, this is just the opinion of Attorney General on one level of this.

Then, furthermore, I have heard statements that you can't negotiate a compact and they can have unregulated casinos if they go through IGRA. If they were successful in IGRA, and that is a big if, then it is in fact true that under IGRA they have to negotiate with the Governor of the state and the Governor can ask for law enforcement provisions, he can ask for significant regulations and do that in good faith and quite appropriately. So, it is incorrect to argue that that is not the case.

Also, when talking about whether or not you can have slot machines or not, Mr. Moss from the Attorney General's office who is an expert in this area consulted with perhaps the best expert in the country Nelson Kemsy who is the Executive Director of the Conference of Western Attorneys' General. He said that since slot machines, roulette wheels machines are outright prohibited under Maine law he says it would be not likely that they would be allowed under IGRA here in the State of Maine. That is all I am saying. Is it possible that they could be? Yes, it is possible but you keep adding on these unlikely things and you have a very unlikely scenario not to mention the fact it has to be on Tribal land.

So, when you combine all these facts together you can understand why maybe Mr. Tureen and the folks decided to come to the Legislature first because I don't think they think they have as good a case as they say they do or they would have gone straight to IGRA like almost all the other tribes in the United States have done.

My point is, again, I am not necessarily opposed to a casino if you can limit it. I think the only way to limit it is a Constitutional Amendment and that is not in Committee Report "A" and I am very

skeptical about the odds of success under IGRA. So, again, I do not do this out of any malice, I am just trying to look objectively at the facts and this is my conclusion. So, I again would urge an "Ought Not to Pass" on Committee Report "A."

The SPEAKER: The Chair recognizes the Representative from Lisbon, Representative Jalbert.

Representative JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I believe we have been here since nine-thirty this morning. At noon time I was talking to a friend of mine and I made a slight wager to a lobster feed that we wouldn't even vote on this before four o'clock. He made a condition on it, but if it isn't done by five o'clock you lose out. Please, it is getting close, I don't want to lose out on that.

We have heard over and over again — I am not running for office, either reelection or higher office but there are many people in here today it is obvious they are running for higher office or reelection, they are doing quite a good job. If I was younger maybe I would be doing the same thing.

I agree with the good gentleman from South Portland, my good friend, Representative DiPietro. We have been arguing this since nine-thirty, please as the good gentleman from Township 27 said, I plead with you, let's vote on this before I croak. That is what is happening, I am not getting any younger. I hate to be hauled out of there in a horizontal position and that is exactly — like I told my good seatmate here who is a Reverend, please prepare a eulogy at the rate we are going — please, I say, there is not going to be one single vote changed. Let's vote on this and go on to something else.

The SPEAKER: The Chair recognizes the Representative from Washington, Representative Bowers.

Representative BOWERS: Mr. Speaker, Men and Women of the House: In all deference to my good friend, the Representative from Lisbon, I have waited this long because I knew I could make my remarks shorter because my good friend, the Representative from Madison, was very clear in his remarks. Representative Farnsworth was very clear and very succinct in explaining the bill. And, Representative Faircloth, my good friend from Bangor has succeeded in getting me all wound up.

I do want to address a few points that have been made, a few concerns. One concern was about roads cost. The projections that have been done by Harrah's and the Waldren Economic Group are not relying on extra traffic, they are relying on the existing traffic that goes through Calais right now. We are not really talking about a lot of new roads, a lot of new expense. I think the state police can also handle the regulation. I think they are very capable. I saw that in my discussions with Lieutenant Harmon. And, all of these extra crimes, they are tools that the State Police and the Attorney General asked for. We gave them the tools.

I went to every committee meeting, every subcommittee meeting all through the summer. Most of the issues that have been raised on the floor today were raised in those committee meetings. I feel that we made a very large good faith effort to address all those issues.

One thing that I want to tell you is that last July after we adjourned I went to a family reunion in Michigan. My cousins directed me up to an Indian gaming facility near Traverse City, Michigan. I had to get directions to find it, it wasn't advertised.

It was 14 miles up a road outside Traverse City, it has been in existence since 1981.

It started as a high stake beano facility. In 1988 they opened up a casino without permission of the State of Michigan, without a compact, they fought the state all along, it has been an adversary relationship.

I went up to it and there is no glitter, there was only a sign out front and it looked like a butler building with a nice brick facade and a big parking lot. There were very pleasant people that were directing you where to park your car. When I walked in I identified myself and I told them that I would like to talk to somebody that would explain the operation and talk to me about the tribe, this is in the Town of Peshawbestown. I learned how to say it but I wouldn't have been able to tell by the spelling.

I spent three and half hours there, they showed me around. I walked up to people that were employees there and talked to them directly without being escorted. They gave me that complete freedom to do so. It was a very nice, quiet, facility for a gaming facility.

I have been to Las Vegas once. I have done it, now I can say I have done it. I don't have any plans to go back.

I have been to Atlantic City because I drove truck and went there all the time. The city is no worse than it was before, it has always been the dregs.

But, there were people in Bermuda shorts and flowered shirts, there were all sorts of ages of people there. It was the middle of a summer afternoon and it was about half full. There were drink servers walking around, they weren't asking people if they want a drink, they had to be asked before they gave them a drink and people had to pay for their drinks.

The Tribe runs that facility, they do a real good job — 65 percent of the people that work there are members of Native American Tribes. They have built 65 new homes in a Reservation that has 2,500 people. They have built a new medical facility. They built two new schools. What amazed me about the place was the sense of pride and the sense of ownership in that facility.

One good friend of mine, at lunch today, said, "Well, my daughter could go get a job and dress in fish-net stockings and wear high heels and serve drinks." These women didn't do that, they dressed comfortably, they dressed appropriately, they had good jobs and they made good tips.

I went into Traverse City, which is a city of about 20,000. It is a destination resort city. There is a lot of agriculture in the area. I talked to the president of the Chamber of Commerce and I talked to the Chief of Police, they were both opposed to this casino but had nothing to say about it because this casino was put in under the Indian Gaming Regulatory Act. They said that the casino is now the best neighbor they could have. They said — the Chief of Police told me they are not called onto the reservation any where near as often as they used to be. There is less wife beating, less drunken behavior, less drug abuse. He basically said there is more pride.

The Chamber of Commerce said that all of its fears were unfounded, that business has been spurred by it and there has been no detriment that he can think of.

This is the visit that turned me around and made me decide to support this bill and to work so hard on

crafting a bill that I think will do the best job for the state.

I think that it is time for us to have a little trust and the common sense that the Passamaquoddy Tribe has shown and give them the chance to make this work and support Report "A."

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative MARTIN: Mr. Speaker, Members of the House: I may be speaking only for the Record but I think that I want to make three basic points.

First, I have heard comments all day about whether or not the Native Americans can win in court or whether or not they will lose. I was the only one here in this body when we were told by every lawyer in this state that we had nothing to fear from the Lands Claim Case. We woke up one morning with two-thirds of the state entirely under suspicion as to whether or not we even owned the land. Some of you remember that well. Communities like Millinocket couldn't even sell a house, you couldn't borrow a dollar to buy a house in that community because of that question.

For those who believe that that is where we are to go (to court) I want you all to remember that if this does not pass that I have said to you all, as Representatives of the people of Maine, that I don't dare take that chance because at that point Maine will have lost total control or inability to get any revenues. We ought never to forget that.

Second, for those of you from Aroostook County or were born in Aroostook County or in Washington County now you need to remember that it is a matter of time before there will be a casino in Woodstock, ten miles from Houlton. And, by next summer there will be one that will be open in Quebec City. If you think that you can stop people from gambling and going to casinos then it is like putting your head in the sand.

I was one of those that voted against gambling, I voted against slot machines, I voted against all the things that we have had and it has made absolutely no impact in the final analysis, other states ate us up if we didn't try to do it ourselves.

About the figure that I have to refute is the question of whether or not more gambling goes on in Washington County now per capita than other counties using the present system. It doesn't make any sense — I can only think back of the day before agency stores when the highest per capita of alcohol was sold in Presque Isle, Maine. Not because Presque Isle citizens were drunk but because that is where everyone from Houlton to Presque Isle went to get their liquor. So, statistics are very deceiving and once you start looking at where it is, you have got to remember that. It makes no sense. It is the number of people that go through that area that make the difference.

I was one of those that had no intention of voting for the casino bill because I, in the first analysis, decided that I didn't want a casino in Maine. Then I realized what difference does it make, it is going to happen one way or another and I would rather control it. Everyone of us will have to cast our own vote today but in the final analysis please don't do it on the basis as to whether or not Maine will ever have a casino or it won't because as I stand here today I can almost guarantee you that it will come. The only question then if that is true and you shake your head in the affirmative the only thing then to ask yourself, do you want to control it? This bill may

be the only vehicle that does that. It may be the only vehicle. If it is defeated today or the next day or whenever we get to a vote, finally, then we will all know the consequences. We, unfortunately, have to live by them.

The SPEAKER: The Chair recognizes the Representative from Old Town, Representative Coffman.

Representative COFFMAN: Mr. Speaker, Ladies and Gentlemen of the House: I feel I have to rise before you today to speak on this issue.

A little earlier I was somewhat angry because repeatedly for the last few weeks I felt threatened here. I felt that I was being threatened in my decision making process by having something called IGRA hanging over my head. I think it would be safe to say that I am the only one in this body presently that was living on Indian Island in Old Town in a community setting as a member of that community when the Land Claims issue was settled in this state. I followed that issue very closely, I know something about that from following it and being a member of that community. I know that the Native American status in this state is vastly different than the status anywhere else in this country, the Attorney General stated that. Some people don't believe that but nevertheless for whatever reasons, I concur with the Attorney General.

At one time, right after the Land Claims were settled, there were proposals to start businesses using their status. One of those proposals that was put forth by a family member was to have a smoke shop. In case any of you don't know what a smoke shop is, they are on reservations out west where they can sell cigarettes and not pay any taxes, not charge any taxes on those cigarettes. It is a booming business. We found out when we presented that proposal that that could not be done on Native American property in the State of Maine because of the different status that these communities, the Native American communities, had here, versus in the other parts of the United States.

This is very difficult for me because I have two children that are Penobscot. I have a daughter that is buried on Indian Island. After a lifetime of traveling around the world with my parents in the military that was the first community that I ever felt that was home to me. I do not take this lightly.

With this bill, I feel the importance of this spiritually, economically, every way is crucial. So crucial that I say that Maine is at the crossroads with this bill. We are here right now voting on something that we are going to make a decision that is going to effect the rest of our lives and our children's lives. It is going to effect this state one way or the other what we do. We can decide, we are at the fork of the road and we can decide which way we are going to go here. We can take one path and send a message across this country because this is what is going to happen.

They just voted down a gambling issue in Missouri and right away I heard about it here. So, you can believe with what we do here is going to go across this country. If we go down one path — let me rephrase that, we shouldn't go down this one path because this one path would be looking for a quick fix, looking for fast money. I don't feel that we believe in a quick fix. That is not in our heritage. We don't believe in fast money, we don't believe in unthought-out proposals. We don't even have a location for this casino. No studies have

been done, no environmental impact studies have been done, nothing. We don't even know where it is going to be located.

I have gotten letters from community members that have a grave concern here. The Moose Horn Wildlife Refuge is just down the road. There are deer crossings, there are moose crossings, the ducks, the eagles are there. Nobody has thought about that. I don't feel we believe in a lack of planning for our future and that is what we are talking about with this issue.

I don't feel that we really believe in desperate acts. In acts of desperation. That is what we have here.

Originally, last summer, when this issue came up I jumped right on it, all I saw was jobs. Why not in Old Town? We have got this closed factory right downtown, it would be an excellent location. Let's have a casino right there.

Until I started doing research on this subject matter — I was one of the legislators that went on the fact finding trip down to Connecticut. What we have here when I speak of desperation is a situation where right now, according to what I understand, the Passamaquoddy peoples' government is about \$2 million in debt. There was a time, a couple of weeks ago when banks would not even cash the checks from the Tribal government. They have been a victim of bad business deals just as the Penobscot's have.

All they are asking for, as are the other citizens of Washington County, is jobs. They want some help, they want to work and we down here are not helping them. There are some scandalous things that have happened and we, the State of Maine, are responsible.

It is pretty bad when we know of the substance abuse problems there as in other areas and the State of Maine, because we are — I guess the reason is we are in bad financial shape — we withhold funds that we have promised them for substance abuse. That is a pretty sorry state.

State government has shirked its responsibility for not only the Passamaquoddy people but for Washington County as a whole. All I have heard for years and years are promises, we will help, we will do something up there but nothing ever happens. I don't blame them for trying to look around being enterprising enough to search out something that is going to create jobs, that is going to bring some money in the area, that is going to keep their people in the area. Something has to be done. They are not going to stand by any more and wait for promises. It is just too bad that this is the only thing that could come forth, especially since we have a situation where our banks refusing to loan them money on viable business enterprises. Right now they could use a blueberry processing plant there. But no bank is willing to talk to them about loans because of their financial situation.

Many of us here thought that they were rolling in money when they sold the cement plant. We didn't realize that they were going to get paid back over 15 or so years and getting very little. I would venture to say that most of us didn't know their financial situation and how desperate it is. I will not say desperate, I apologize for that, I will say how bad it is.

We heard about the scrubber — we didn't hear that the previous Tribal government sat on that scrubber, where people were getting paid \$10,000 a meeting to meet quarterly to sit on that and twiddle their

thumbs, nothing every happened to that scrubber. It is proven technology, it could help the environment, it could be developed. Did anybody every offer any help down here? Did the University ever get involved and offer to help them up there to develop that?

The other direction that we could take is more in tune with our heritage. Our heritage is one of hard work. We are known for that. We are known for that nation wide and world wide. Maine workers historically have been among the nations most productive workers. I have met numerous people that have gone to other locations in the state and as soon as they say they are from Maine they are hired on the spot. What does this have to do with the issue? It has to do with the issue of viable jobs versus casino jobs. How viable is that when the goal of a casino is to empty out the pockets of the people who come there.

I certainly found a lot of real happy people down in Connecticut sitting around, very happy. We went there in the evening. I think we got there at eight o'clock and stayed until one o'clock. When we took the older gentlemen home and couple of us went back and stayed until five o'clock.

I want you to know I worked continuously when I was there. I lost \$350 gambling. I played the slot machines, I did everything that everybody does when they go there but all the time I was working. I would sit at the slot machines and start up conversations with people next to me and asking them about the place. Asking them how often they came there. I would go in the bar and sit down with somebody and ask them what is going on here. You should have heard the stories that I heard. They didn't think it was funny. Acts of desperation. That is what I heard. The more they lost the more they came back to win.

I have people that I know that have grown up in gambling addicted families. It has ruined those families. I think that we should look at other areas of financing. I look at this proposal as a bad business deal. It makes absolutely no business sense, no viable business sense, no sustainable business sense. It might work for a year, who knows, maybe even two. The Canadians are not going to let their money go to the United States or the State of Maine very long. I appreciate the good Representative from Aroostook County mentioning that in a short while there will be a casino in Woodstock, right across the border. There will be one in Quebec City. Right now there are three casinos proposed for Massachusetts. Every place is going to have casinos. Where are families going to go on vacation. Where are families going to want to go when they relocate and want to live somewhere where it is safe, where the air is clean and the water is pure, where there isn't crime?

I say if we take the other path they are going to want to go to Maine. That is the choice we have here. We don't need to do something like this, of this significance and this magnitude because we are desperate for jobs. We certainly don't need to promise people up there that if they don't get this, just we will promise in the future sometime, something else will happen. We need to put something together and concentrate on getting jobs in not only Washington County but in Aroostook County and Waldo County, the hard hit areas of this state. Our state has many valuable components.

Are many of you aware, I wonder, City Bank came

here a year ago looking to locate a business here and they went away because our banking laws weren't conducive to what they wanted so they relocated that business in South Dakota. Great place to be. I am not meaning to put down South Dakota — but, I wonder, where would someone rather be, South Dakota or Maine? Look what we have to offer. Every day that I am here, I meet people from not only around the United States but around the world. Bankers are coming in from Japan, I met three of them here two weeks ago. They are wanting to invest.

Right now we are talking about a lack of jobs, about a bad economy. But we are almost at that place where we are going to be talking about managed growth. The foundation has been laid here. The Governor has put an incredible amount of effort through the years that he has been in office in laying a foundation for international trade. That is where our future lies. We could turn this whole state into a world trade zone. Think about it. Look at the facts. We are the closest state to Europe. We have got Loring Air Force Base. Who wants to ship any more from these countries to New York and New Jersey? They write off a percentage of everything they ship because it gets stolen. It is a mess down there. What do we have to offer? If we developed this we would have a lot to offer. We have already got European companies coming over here and coming over with their factories. The Lempforder Corporation in Brewer for instance a German owned company, hundreds and hundreds of jobs. Foreign countries are buying up our land. It is happening because they know what we have to offer. We have to recognize that and build on it.

Those components that Aroostook County has won and Washington County, we have to look at the big picture and put all this together where we could have foreign goods flown in and out of Aroostook County. We should be developing Eastport as a port, we should be letting cargo ships come in and out more than they do now. We need jobs for Washington County, everybody is in agreement on that, it is just what kind of jobs. We should be talking about port facilities.

If FAME is willing to guarantee up to \$13 million in loans, guaranteed by the State of Maine for the casino proposal why can't they also guarantee those loans for a blueberry processing plant or for scrubber technology development or for building up the port facilities or for a free trade zone or finding the resources to build up Route 9 all the way from Calais to New Hampshire? Just think what that would do. They need help up there. The State of Maine should look at what help we have to offer and put our resources there, not just send them to where most of the legislators come from down south but to spread it out and let our state grow in its entirety. We need to look at the entire State of Maine.

When we come down here we can no longer afford to look at just our little districts. My district did not send me down here to do that, to find all the pork I could find and bring it back home, they sent me down here to be a State Representative, to represent all the areas of the state.

As you have gathered by now, you can understand where I am coming from. I am in agreement with those residents in Washington County that say no more promises.

I would also like to say that they should be able to say if we can't have this then we want to know

what we can have because we need something. As an example of something that is on the horizon here that you will hear about shortly, if you haven't already. Let me read the news release from Senator Mitchell's Office. This is dated March 30th, "Senator George Mitchell today, again, urged Secretary of Defense William Perry to locate Defense Finance and Accounting Service centers in Maine. In a telephone conversation with the Defense Secretary, Mitchell outlined the advantages a Maine site would have to offer. Both Bangor and Loring are under consideration by the Department of Defense as possible sites for a DFAS center. As the selection moves forward I wanted to be sure Secretary Perry personally is aware of the advantages of locating a Defense Finance and Accounting Service Center in Maine. I have met and talked with the Defense Secretary on several occasions about DFAS and am certain that he understands the benefits Maine offers. The Defense Department intends to consolidate its finance and accounting services into a handful of centers in the near future. Each center would employ at least 700....."

The SPEAKER: The Chair recognizes the Representative from Wells, Representative Carleton, and inquires for what purpose the Representative rises.

Representative CARLETON: Mr. Speaker, I rise to a point of order questioning the relevance of the discussion that is going on at this point?

The SPEAKER: The Chair apologizes for interrupting the Representative from Old Town, Representative Coffman, the Chair would tend to agree that while the information is extremely relevant to the State of Maine, it would not be relevant to our propose of discussing this bill which is the casino bill. The Chair would encourage the Representative from Old Town to confine his concluding remarks to the motion to adopt the Majority "Ought to Pass" Report.

Representative COFFMAN: With all due respect, Mr. Speaker, I find it hard to believe that when we are talking about locating two defense centers here in the State of Maine that could bring probably 2,000 jobs and possibly one of those centers could be located in Washington County that that isn't relative to what we are talking about here. Would the Chair rule that that is not relevant?

The SPEAKER: I think the Representative from Old Town has made his point on the importance of the DFAS centers.

Representative COFFMAN: And the point of reading this up-to-date, last minute news is that here is something that could possibly come in the State of Maine. I find it very encouraging when we have Representatives in the Bangor area that have put a lot of effort in attracting this that is looking at where these should really go, where we really need jobs in this state and they are willing to say — the ones that I have talked to so far — that maybe we should look at locating one of these in Loring in Aroostook because they need it, and maybe if it fits that maybe we should locate the other one in Washington County and if not then maybe in Waldo County but somewhere that it truly needs this, not some place that has got a lot of political pull and got a lot of Representatives that will vote one way or another and that can use their influence but it is time that we look at the whole state and address the needs of the whole state out there and the different

components that make that state and stop worrying about our own little back yard.

The SPEAKER: A roll call has been ordered. The pending question is the motion of Representative Cote of Auburn that the House accept "Ought to Pass" Report "A." Those in favor will vote yes; those opposed will vote no.

## ROLL CALL NO. 329

YEA - Ahearne, Aliberti, Bailey, H.; Bailey, R.; Beam, Bowers, Bruno, Cameron, Campbell, Caron, Carr, Carroll, Cashman, Cathcart, Clement, Cote, Driscoll, Dutremble, L.; Erwin, Farnsworth, Gould, R. A.; Greenlaw, Hale, Hatch, Hichborn, Hoglelund, Jacques, Jalbert, Johnson, Ketterer, Lindahl, Martin, J.; Mitchell, E.; Nadeau, Norton, O'Gara, Paradis, P.; Pinette, Pouliot, Ricker, Rotondi, Saint Onge, Swazey, Tardy, Townsend, G.; True, Tufts, Vigue, Young, The Speaker.

NAY - Adams, Aikman, Anderson, Ault, Barth, Bennett, Birney, Carleton, Chase, Chonko, Clark, Cloutier, Clukey, Coffman, Coles, Constantine, Cross, Daggett, Dexter, DiPietro, Donnelly, Dore, Faircloth, Farnum, Farren, Fitzpatrick, Foss, Gamache, Gean, Gray, Heesch, Heino, Holt, Hussey, Joy, Kerr, Kilkelly, Kneeland, Kontos, Larrivee, Lemke, Lemont, Libby Jack, Libby James, Lipman, Look, Lord, MacBride, Marsh, Marshall, Melendy, Michael, Michaud, Mitchell, J.; Morrison, Murphy, Nash, Nickerson, Oliver, Ott, Pendexter, Pendleton, Pfeiffer, Pineau, Plourde, Plowman, Poulin, Rand, Reed, G.; Reed, W.; Richardson, Robichaud, Rowe, Ruhlin, Rydell, Saxl, Simonds, Simoneau, Skoglund, Small, Spear, Stevens, A.; Stevens, K.; Strout, Sullivan, Taylor, Thompson, Townsend, E.; Townsend, L.; Tracy, Treat, Walker, Wentworth, Whitcomb, Winn, Zirkilton.

ABSENT - Brennan, Hillock, Joseph, Kutasi, Martin, H..

Yes, 50; No, 96; Absent, 5; Paired, 0; Excused, 0.

50 having voted in the affirmative and 96 in the negative, with 5 being absent, the Report "A" "Ought to Pass" was not accepted.

Subsequently, Report "B" "Ought Not to Pass" was accepted and sent up for concurrence.

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By unanimous consent, all matters having been acted upon were ordered sent forthwith.

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Representative Martin of Eagle Lake was granted permission to address the House.

Representative MARTIN: Mr. Speaker, Members of the House: For all of you who have gotten phone calls on the Maine Health Care Program, the judge has just granted a TRO against the state and all individuals that were on the program will continue to be on the program. They will continue to process and so you ought to inform those people that were on the program that they are protected until such time as a full hearing is granted.

## TABLED AND TODAY ASSIGNED

The Chair laid before the House the following