# Legislative Record

# House of Representatives

# One Hundred and Twenty-Third Legislature

# State of Maine

## Volume I

## First Regular Session

December 6, 2006 - June 5, 2007

Pages 1-681

(H.P. 691) (L.D. 916) Bill "An Act To Permit the Sale of Antique Barometers" Committee on **NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-65)**

There being no objections, the above items were ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.

---

**CONSENT CALENDAR**
**Second Day**

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the Second Day:

(S.P. 177) (L.D. 565) Bill "An Act To Remove the Sunset on the Exemption of Internet Services from Auctioneer Licensure Requirements" (EMERGENCY)

(S.P. 310) (L.D. 993) Bill "An Act To Amend the Charter of the Winterport Water District"

(H.P. 149) (L.D. 167) Bill "An Act To Allow Military Personnel Stationed in Maine To Register All-terrain Vehicles As Residents" (C. "A" H-58)

(H.P. 184) (L.D. 213) Bill "An Act To Establish an Airport Managers Training Program" (C. "A" H-53)

(H.P. 192) (L.D. 221) Resolve, Requiring the Maine Community College System To Return Real Property and Buildings to the City of Eastport (C. "A" H-54)

(H.P. 250) (L.D. 306) Bill "An Act To Provide Medically Necessary Speech Therapy Services" (C. "A" H-52)

(H.P. 296) (L.D. 366) Bill "An Act To Make Additions and Deletions to the List of State Endangered and Threatened Species" (C. "A" H-59)

(H.P. 425) (L.D. 547) Bill "An Act To Create Fairness in E-9-1-1 Funding" (C. "A" H-57)

(H.P. 548) (L.D. 727) Bill "An Act To Expand the Definition of Health Care Facility under the Maine Health and Higher Educational Facilities Authority Act" (C. "A" H-55)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were **PASSED TO BE ENGROSSED** in concurrence and the House Papers were **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

---

**BILLS IN THE SECOND READING**
**House**

Bill "An Act To Authorize a Tribal Commercial Track and Slot Machines in Washington County"

(I.B. 1) (L.D. 805)

Was reported by the Committee on **Bills in the Second Reading** and **READ** the second time.

On motion of Representative BLANCHETTE of Bangor, was **SET ASIDE**.

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

Representative **BLANCHETTE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Not an easy thing to do today, to stand up here and debate something, when all of us have heavy hearts for any number of reasons. Mine is heavy because I am having to ask you to vote against the 12-1 Report out of my Committee. The 12-1 opinion would have brought some economic development to Washington County, which we all know is desperately needed, but I have to ask you to oppose this 12-1 Report for any number of reasons.

Having served in the Legislature, when the voters went to the polls and voted the referendum for slot machines at the two commercial tracks, in Bangor and in Scarborough, it passed and Bangor had to go out to a second. It passed in Bangor, failed in Scarborough because Bangor had to go out for a second referendum asking the citizens of Bangor if they approved of 1,500 slot machines going into a racino in Bangor—and they did.

Now this year, I find myself faced with LD 805, which is "An Act To Authorize a Tribal Commercial Track and Slot Machines in Washington County." I have the pleasure of serving on the Legal and Veterans Committee and we have reviewed this bill. The law in the State of Maine, as far as gambling racinos, is very, very clear. You must have a commercial track in order to have slot machines because the slot machines were approved by the voters in the State of Maine, to help the harness racing industry survive and grow. The percentage that has come from Penn National in the last year and a half, has greatly helped the horsemen and the stock that has been bred and that is growing up and training and that will hit our raceways.

We need to go back and look at the law that was enacted. What you are being asked to approve on this LD, is in fact, sidestepping the laws that govern the State of Maine. Now, I went down the Law Library and had them pull out the Indian Lands Claim Settlement that was passed back in 1979 or 1980. I do not know, I was around at the time, anyway. It says to that end, "the Passamaquoddy Tribe and Penobscot Nation have agreed to adopt the laws of the state as their own"—as their own. The laws in the State of Maine, plainly state that you must have a commercial track to apply for a slots license. They do not have a commercial track, so how do you apply for a license to operate slots? The laws of the State of Maine, mean the Constitution and all statutes, rules or regulations, and the common law of the state and its political subdivision and subsequent amendments thereto, or judicial interpretations therefore.

Now, I have in my life, voted for special things at different times and I feel justifiably so, but if I vote to allow a racino to operate in Washington Country, then how could I say no to a casino in Scarborough, to a casino anywhere? This is not what the referendum wanted and we did go to statewide referendum. Now, to their credit and I will have to give them credit, the Passamaquoddy Tribe went out and secured 50 odd thousand signatures, to put this out to a referendum to all of the voters in the State of Maine, just like we did when we out with Bangor, to all of the voters in the State of Maine. If they did not want to ask the voters, why go to the trouble and the expense of securing 50 thousand odd signatures? That is no easy task, I know. They worked long and they worked hard to do this and I understand their reasoning, but I disagree, respectfully, with what they want to accomplish.

I need you to look at the law and are you going to say because they are Native American, we are going to be lenient on the laws that the preceding Legislature, the 122nd, voted to enact that govern all gambling in the State of Maine? I ask you to look at this. I ask you to search your heart. Do you want to do this and put what I feel is a bad precedence, as far as treating everyone within the state equally? The tribes, when they signed onto the Indian Lands Claim Settlement, agreed to abide by Maine laws. This is Maine law. You will have a commercial racetrack in order to operate slots. Ladies and Gentlemen, I ask you to vote against the opposing amendment and send this down to defeat. Thank you.

The SPEAKER: The Chair recognizes the Representative from Dixfield, Representative Hotham.

Representative **HOTHAM**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise today, to ask you to vote no on the pending motion, LD 805. I rise as someone who has supported this idea in the 122nd Legislature

and I want to explain why. A good reason is the blight in Washington County, which you have well documented in front of you. It is not a good situation and we need to do something, but let's not do "just something". I have, since that vote, thought better of that position and that better position, I think, is for the greater good of all Maine people, which we all represent.

I served on two terms on the Committee of Legal and Veterans Affairs. I participated in the process of LD 1820, which created the racino, secured it for its patrons, in a very well thought way. It created a group called the Gambling Control Board, whose task was to put together a package of applications for the owners, for the employees. Prior to opening the facility in Bangor, it was well thought out. The Gambling Control Board did a wonderful job of putting this together in a very short period of time, relatively speaking, so that the temporary facility, which is in Bangor now, could be opened because from the state's perspective, we were creating an expense that needed discard, to be paid for. So the temporary facility is open in Bangor. I rise today to remind you of Nancy, who lost $100,000 playing the slot machines at the temporary facility in Bangor—400 slot machines. When all is done, by law and by authorization of the voters of Maine, there will be 1,500 slot machines in Bangor. How many more Nancys? We do not know.

You have in front of you, a Resolve passed by the Gambling Control Board last summer that says we should not expand any further, until we understand the effect this facility is having on the lives and the economy of the people in that area and yes, the people of the State of Maine. Is Nancy the tip of the iceberg? We do not know. Why would we want to vote for something that we do not have all the information on, but we have that opportunity at our fingertips? It is well known and reported by the Gambling Control Board that it takes three to five years, to understand the effects of a gambling facility. The temporary facility in Bangor has been opened since a year ago last November—16 months. They will, according to what I am told, open the new facility next summer. Fifteen hundred slot machines, as I have mentioned, that in my estimation, resets that three to five year clock because those are the terms we have to understand, the effect that this is going to have on the people in the State of Maine.

Now, I am not a professor of process in this great institution, but I will share with you and perhaps as a reminder of what is going to happen. The bill has passed through Committee as Ought to Pass. The bill, as presented with over 50,000 signatures of Maine people, it is a 12-1 Report, a very strong recommendation from the Committee. Now it is before us. If we decide to pass it, it will go downstairs onto the second floor, where I have been told it will be vetoed. Now, what happens?

The SPEAKER: The Chair will interrupt debate. It is not appropriate to talk about the actions of other bodies of government during our debate.

Representative **HOTHAM**: Thank you, Mr. Speaker. I apologize to the body for that error. The bottom line here, Ladies and Gentlemen, is this is going to end up on the ballot, as it should. The question for us all in this body is, do we want to put forward, as the representatives of the people, as leaders in the State of Maine—do we want to put forward this bill, leaving the people of the State of Maine with the impression that we approve of the expansion of gambling in the state? That is the question that you have to ask yourselves, personally and collectively, for the constituents that you represent in this body. I urge you to wait. I urge you to let this happen another time when we have learned more about the effects on Maine people of that facility in Bangor. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Perry.

Representative **PERRY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I am speaking in favor of this bill. I think the first thing that I want to say, as a member of the Washington County Delegation, is this is not a Native American bill. This is about neighbors working together for economic development.

When this bill came forward, our neighbors, the Passamaquoddy Tribe, sat down with the rest of Washington County and we worked together, to find a bill that would benefit everybody in the County. Washington County has the distinction, unfortunately, of being one of the poorest counties in the state. We have double the unemployment rate that the average of this state has and even when there has been significant loss of jobs in other areas, they go up and they go down and we still stay in that high unemployment rate. How do we work economic development?

Washington County is the first county that you see when coming from Canada. We have the fifth heaviest border crossing in the United States, but do we have that many people stopping to see the gems that Washington County offers? No, they are traveling elsewhere. Those people are not stopping in Washington County. We have tried. We have many gems to offer, but we still remain a "travel through" county. We have businesses that are slowly dying, or have demised, but we have not had the state come in and do that kind of public support that has come when other businesses have left. We are slowly bleeding and we remain one of the lowest incomes for a family in the State of Maine. We also have a good record of small business. Thirty percent of our economy is micro and small business, which is great. We are growing from within.

One of the things that happened when the racino was voted down last time, or vetoed, is that an Economic Development Task Force was put together, to find out what we could do for the economy of Washington County. A group met and it was wonderful. We worked together, we had some great ideas that we brought forward to the Business, Research and Economic Development Committee and they were very supportive of the work that we had done and had passed what we had asked for. However, and I will say this now, the state and the Appropriations Committee did not pass what was really needed, to maintain economic development in the County. Pine Tree Zones do not work in rural areas. They work in industrial areas or areas that are beginning to grow, but Washington County needs an infrastructure first. We need to develop that by bringing people in and bringing the money in to stay with us, not to drive through us.

A racino also brings the harness racing industry back to Washington County. There are the remains of three harness racing tracks within the County. This brings it back. What does this do for economic development? This brings back the horse racing industry. This brings back animal husbandry. It also brings back all of the stuff around the care and farming of the animals.

This bill also offers moneys that go specifically to Washington County, for economic development, to a Washington County Development Authority. This also offers moneys to go specifically to our educational institutions, Washington County Community College and the University of Maine in Machias, where we can work with developing education programs that fit the jobs that we will be bringing in and people will be stopping, we have many other gems and many small businesses that are keyed and ready to be able to benefit from having people stop and see what a wonderful place we are.

I am asking that you vote for this, so that we, as a county, can grow with the rest of the State of Maine. I have passed out a map of the State of Maine. This was in a book we received on the atlas on economic development. It is on page 52, if anyone is wondering. It talks about income growth projections for Maine, from 2000-2010. Now the lightest areas, unfortunately this is not in color, show that the economic growth of income in the lightest areas, will be from 2.8 to 3 percent. These are some of our poorest counties. However, if we look at the economic growth, or percentage growth, from 2000-2010 in some of our richer counties, we are seeing a growth of 5.5 to 6.3 percent. What that is going to do, and what it is doing already, it is separating this state into the rich and the poor. I do not know where the middle is going to be because if this trend keeps going, it will get worse, not better. We will have two Maines.

I am going to ask that you consider this, not as a Native American bill. This is about neighbors working with each other. This is about a county looking to find the means, with which to grow economically within our own borders because I will tell you right now, the state has not and is not able to support those developments that we need. There recently has been passed through the BRED Committee, a bill that was put forth with Washington County and the Maine Rural Partnerships, which is a wonderful tool for really growing within the County. Unfortunately, it has a fiscal note to it. I would love to see that that would be supported by the Appropriations Committee, but I am going to tell you now that it is not in the budget. I do not see that that money is going to be there.So where is the support, even for the good work that we do, for economic development in one of the poorest counties in this state? I ask that you really think about this and that you give us a chance to pull ourselves up by our bootstraps and join the economic growth that the rest of Maine is seeing. Thank you.

The SPEAKER: The Chair recognizes the Representative from Dennysville, Representative McFadden.

Representative **McFADDEN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in favor of LD 805, the racino for Washington County. As a matter of fact, I would rise for any economic development in Washington County. Just let me make a few points of what that will do if that is built.

What we are talking about mainly, everyone is talking about the casino part, but we need to talk about the racetrack part a little bit, also, because that is major factor. My good friend from Bangor, Representative Blanchette, she talked about the racetrack not being there. Of course, the racetrack is not there, but that is part of it. If there is a racetrack built, then the casino part will follow.

Let me just mention a few things here, what it will help, the major factors. It will contribute money to the General Fund of the State of Maine. It also should lower taxes in the State of Maine. It is going to improve the Tribe's standard of living, as well as the Washington County peoples' standard of living. It will infuse economic growth in Washington County, which really needs to happen and I just had a paper passed out this morning—I am sorry, I know I cannot use these, but anyway—I just saw a paper here where the growth in the next 10 years is only 2.8 percent in Washington County, 6.3 percent in the other parts of the state, which Representative Perry was just talking about.

This is also going to help the Horsemen's Association, tremendously. It will help them out in two ways. One way, it is going to bring out-of-state horses in from New Brunswick, where they race down in Saint John at Exhibition Park—that will bring them in. It will also help your horsemen in the State of Maine. It will open up some of the dark days from Bangor and Scarborough. Those people that do not understand what I am talking about, dark days, those are days that the tracks do not operate. If there is a track built in Washington County, it will not operate on the days that Bangor or Scarborough operates, so the horses are where they need to be. It also will create offspring businesses and decrease unemployment in Washington County, which is the highest in the state. The Tribe is not asking for the moon, they are only proposing for economic growth in Washington County.

This proposal is not new in the State of Maine because right now, at this very moment, you can buy Megabucks tickets, you can buy scratch tickets, you can buy Powerball tickets. You can play "beano" for money, which is legal in this state. So this is not something that is a new piece of gambling that is coming in. Gambling is also taking place in Bangor at the casino, right at this moment, but guess what folks? Probably 50 percent of that money taken in from the casino in Bangor is probably going out-of-state. As a matter of fact, I am quite sure that it is. The money from this racino, most of it would stay instate because it would be owned instate.

One other thing that we need to think of, we have one casino, or racino, in the State of Maine. When you have one thing in the state and no one else is allowed to duplicate it, I think that is called monopoly. It is a monopoly, as far as I am concerned. The racino, most of the profits will stay instate, which I just said. Now, let me tell you something. I read in the Bangor paper, here, a few weeks ago, where some lady in the state lost $100,000. It did not give her name and it did not give her town, but let me tell you something else. I know a guy, a man that won $100,000 in Bangor. I do not know his name. I do not know where he lives. The point I am trying to make is, do you believe either one of those stories? I do not. They are both false as far as I am concerned.

Now, a vote for the racino will help to reduce poverty, it will help the Tribe, it will help Washington County, and it will help the state. A racino might not be a savior, but let me tell you something, it is not the devil either. I urge you, when it is time to vote, that you push your green lights. Mr. Speaker, I would like to have a roll call, also, when it comes time.

Representative McFADDEN of Dennysville **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Skowhegan, Representative Finley.

Representative **FINLEY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I had not intended to speak on this bill. I am not a gambler myself, but I definitely am in favor of LD 805. I think that this House should not turn its back on Washington County. I think we need to do everything that we can in this state, to support economic development in that area. I urge all of you to please support 805.

We have a racino in Bangor and that has done some good things for the state. I understand that they also are planning a golf course. They are planning a conference center. They will be, I think, having some concerts and things there. It will also bring financial, bring money in from Canada into the State of Maine. I just urge all of us to really look at our conscience. I know there are people like the Nancy that he referred to, but there are people with alcohol addictions, food addictions, smoking. I do not think a racino in Washington County is necessarily going to control anyone who has a gambling addiction. Please support LD 805.

The SPEAKER: The Chair recognizes the Representative from Newfield, Representative Campbell.

Representative **CAMPBELL**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I was not going to get up and say anything today on this particular bill, but my wife being part Native American, I just have to say that they call us "occupiers" in Iraq, but I never heard a Native American say that we are "occupiers" of their country, when our forefathers came over here. I am standing here today, asking to not make them have to beg anymore for our permission to do things that they should be able to do. I am asking to support this bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Cutler, Representative Emery.

Representative **EMERY**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. Just a few points that I would like to address. The Passamaquoddy Tribe has been working on this for 15 years and we have seen various pieces of legislation come before this Committee and other legislators. We passed a similar bill in the 122nd and it is here again. This is not a new idea. They have been working very hard for the last 15 years, trying to establish a racino in Washington County.

I would just like to also mention that the Economic Development Task Force that was commissioned by our Chief Executive, in the 122nd, voted unanimously in Washington County to support this. Those recommendations were sent back here to the Legislature for consideration, for future legislation that would help develop Washington County's economy. I would urge everyone to support 805. Thank you.

The SPEAKER: The Chair recognizes the Representative from Farmington, Representative Mills.

Representative **MILLS**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this bill, essentially to point out simply, we only have two options here. This bill is a bill to enact a proposal drafted in LD 805. If we do not enact it, then our inaction allows this bill to go to a vote of the people, as all major gambling proposals have done in recent decades. We only have those two options because it is an initiated bill.

If we vote yes, as others have urged, we vote to enact this as it is with no changes because if we make any changes, then it has to go out as a competing measure. I oppose enacting this bill, whether you are for gambling or against gambling, whether you feel sympathetic with Washington County, whether you feel sympathetic with the Tribes and their plight over many, many decades.

I speak, also, as a person from the "other" Maine. Franklin County is not exactly economic boomtown. We have a higher than average unemployment rate. Piscataquis County nearby, Somerset County, nearby have higher than average unemployment rates and low personal incomes, but we do not come here asking you to pass a bill that allows a casino to become the be all and end all of our economic woes.

The problem with enacting this bill as it is, which you are urged to do today, is that it is a flawed piece of legislation that would require substantial amendments and you do not have any marketing analysis, any economic data that would show you that this is, or could or would be, real economic improvement for any particular area of our state. There is no analysis of this particular proposal being put in front of you. Maybe, if we vote no—whether you are for gambling or against gambling, for Washington County or not so for Washington County—if you vote no, then maybe in the next seven months there will be a plan developed that the people can analyze for themselves. An economic plan, so that we can tell and make an intelligent decision. So we can tell who is going to build the track, how it will be built, where it will be built, who is going to build the slot machines and where, whether there is going to be high-stakes beano because that is in this bill as well and where that would be, whether or not the people want to vote for a bill that allows approval by a governing body and not necessarily by referendum of the voters of the municipality, to allow a gambling facility, which has been the case for all previous gambling proposals. You had local referendum as a prerequisite, this bill does not.

This bill, for example, allows a certain percentage of the proceeds to go to scholarships, but in this bill, the scholarships go only to one particular campus of the University of Maine and only to one particular campus of the Community College System—something that you might want to change if we had the opportunity to change it, which we do not. You might want to change other things in this bill, pertaining to high-stakes beano, licenses, and the like, establishing the criteria for those licenses, which are not in this bill, but we do not have that opportunity today. We only have the opportunity to vote yes and enact a flawed measure into law, or to vote no and allow this bill to go to the people and then if the people decide it is the right thing to do, then we can, with the peoples' permission, make changes at a later time.

I ask you to allow this bill to go to the people, to allow them to vote in an intelligent manner this fall, on the issue of whether or not a particular tribal track should be developed with slot machines and high-stakes beano, in a particular area of our state. Thank you very much. I do not wish to destroy the sanctity of the ballot and the will of the people because this is the tradition in this state, that all such proposals go to a ballot of the people and that is what should happen to this bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Dixfield, Representative Hotham.

Representative **HOTHAM**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. It is rare that I rise twice to debate any measure that comes through this great body. I realize that I have a pretty good chance of changing a lot of minds, but so much of what we do around here is therapeutic, as opposed to good, solid debate, but I feel compelled to make two points.

I would like to enter into the record, by reading that last paragraph of the Resolve, passed by the Gambling Control Board last summer. It reads as follows, "Be it Resolved, effective this date, the Gambling Control Board strongly urges an ongoing moratorium on any expansion of gaming in Maine, and respectfully asks that the Legislature, the public, and all other parties of interest, refrain from embarking upon any new initiatives leading toward more casino style gaming in Maine, including racinos. The Board suggests that this moratorium should remain in effect until the accumulated data being continuously collected by the Gambling Control Board is deemed by the board to be sufficient in both quantity and quality to assure an accurate assessment of the effects of gaming, both tangible and intangible, on the people, the social fabric, and the business infrastructure of Maine."

That really says it all, but I will not leave it there because I have one other point to make and that is, I will remind us all, please, that the only way gambling is successful is when people lose. I am not going to participate in expanding gambling and creating a so-called "economic development piece" that relies on a losing philosophy. I think that the State of Maine is made up of winners and we need to be positive in thinking about the winners and there are too many losers in this deal. Thank you very much.

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

Representative **BLANCHETTE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Some very interesting debate going on and I really appreciate and respect

everyone in this House's opinion. Some of us just happen to be of a difference of opinion and that is healthy debate.

Nobody has touched on what the State of Maine, the government, the 123rd Legislature, the taxpayers, are going to have to up front, for infrastructure for a racino, if located in Washington County. I have talked to the members of Public Safety, I have talked to the Gambling Control Board, and it is estimated, roughly, that about $ 1.5 million to bring communication down there that would connect up with Scientific Games down here in Gardiner. Every time you open or someone opens a slot machine in the State of Maine, it is registered in two different places. That $1.5 million infrastructure does not—I repeat does not—employ or hires the monitors that the state Gaming Board requires at all racino sites in the State of Maine. They are there all day. They are paid good wages. Who pays them? We do. They are state employees, they are not casino employees.

I have talked to the members of the Board of the Maine State Harness Racing Commission. Unlike the Maine Harness Association, they assure me that under no circumstances will we have the horsepower to fill race cards at another racetrack down there, in the immediate future. Now, we can import, not a doubt about it, we import every year. We import from Canada and everywhere, but they are not part of the valuable Maine Sire Stakes that we have worked so hard, in the racing community, to build and preserve. They are horses from away and that is fine, but I do not believe people are going to choose to winter in Calais, Maine, as opposed to wintering in Pompano Beach, Florida—two different worlds, two different lifestyles—not going to happen. All we are asking for, all I am asking for is that we turn around and send this out to the voters of Maine.

I just have to read something to you that I find extremely interesting. "In 2000, the voters in Washington County joined the rest of Maine in rejecting slot machines at Scarborough Downs. In 2003, Washington County voted against, again, rejecting slot machines at the proposed Sanford casino. Now proponents of LD 805, say the decision for slot machines in Washington County, should be left entirely to the Legislature and the local community where the slot parlors will be located." I have to ask you to search your soul and say, why? Voting no on LD 805, will not kill the proposed race track casino, it will send it out to the voters. It is the right thing to do.

Just one further thing. Mr. Speaker and Ladies and Gentlemen of the House, I have talked with Public Safety on this issue because in Bangor we know. We have faced the fact and accepted it. We have a $130 million complex that is being erected on lower Main Street and it is going to house, under state law, 1,500 slot machines. We know with the influx of 1,500 slot machines, we are going to face a different type of enforcement problem, than the State of Maine has ever had to face, but—and there is always a "but,"—Bangor is ready for it. I have a 90-person police force. I have the Sheriff's Department of Penobscot County that is housed in my city. I have Barracks D of the Maine State Police Department, 5 minutes up the Interstate, in Orono. We are ready—we are ready.

In 2006, the Bangor racino put in 96 calls for assistance, to the Bangor Police Department. I do not believe Calais is ready to field that many calls, without additional enforcement personnel put on. Who pays for that? The people in Calais do. Are you ahead, are you behind? Washington County Sheriff's Department, Donnie Smith, sent a letter and I appreciate his opinion, that they would be glad to provide police protection—at whose cost? The cost of the taxpayers in Washington County. There are many, many taxpayers in Washington County that will never, ever go to the racino, but they will pay for the cost of public service.

So, I ask you to do the thing that this Legislature and every preceding Legislature before us has always done and done with dignity—we have honored the vote of the people. We are not questioning their right to vote. What we should question is our ability to be fair and just on this issue. Let the people in the State of Maine that so value their privacy, their freedom, and especially their right to vote, go and have a say on this. We can be equally proud and I am. Maine has the highest percentage of voter turnout than most of the states. We have won some good prizes from bets on that. Let's let them say they want, again. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative Burns.

Representative **BURNS**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I want to thank the good Representative from Bangor, Representative Blanchette, for urging me to search my soul on this. I am sure we are all searching our souls on this issue.

I have all of my life, been opposed to gambling, but I have been urged by others, Thomas Friedman for one and former Governor McKernan for another, to accept the fact that we live in a global economy and that as our jobs leave this country to go to far off places for cheaper labor, in places where there is no government regulation, Americans—all Americans, indigenous Americans, Native Americans—all of us have to face, as it has been pointed out by Thomas Friedman and the former Governor, we have to accept this fact and have faith in the fact that something will fill the void. Now, I am not happy that we are talking about gambling as a way of filling that void, but in the face of desperation, we are talking about people who have no economy. They have no economy. What are we as a nation without an economy? Nothing, I believe. These are the choices that these folks are faced with today and we are likely to be faced with them all over this state and all over this nation, if we do not start thinking about what we might be able to do to keep our jobs here in America. Thank you, Men and Women of the House.

The SPEAKER: The Chair recognizes the Representative from Columbia, Representative Tibbetts.

Representative **TIBBETTS**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I would like to echo Representative Burns' statements he just made. I also would like to have you reflect that on Representatives McFadden, Emery, and Perry, but beyond that I look at this as an economic development opportunity, not only for a racino and harness racing, but noble people, honorable people, have assured me that if they get this racino that the Native American population in Washington County is still going to be looking at the LNG project. They will be looking at wind power. They will be looking at tidal power. They will be looking at bottled water. The blueberry company that they already have, they might be able to expand to a processing plant.

Also, they would like to have some moneys to build emergency housing that can be folded up and shipped to places where they have natural disasters. I just think it is a kick-start for the economy in Washington County. I do not see it as being the complete answer. I do not think it is going to be the complete answer, but I sure think it is going to be a molasses effect in the Calais area, in the mid-county area.

I would like to point out that in Bangor, I believe, it is over 40 percent of the money that is going out-of-state. Our Native American community and I should say my good neighbors, where I live, have offered nearly that much to come back to the State of Maine and Washington County. It is a win-win situation for us. I

know I am looking at it as from as one Representative looking out for my constituents in my county, but I urge you to please vote yes on this. Thank you.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Harlow.

Representative **HARLOW**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. If this is economic development for Bangor, why can it not be economic development for Washington County? I think it is more to it than just the gambling. I think it will also attract recreation and other things for people. I do agree that we do need to help that end of the state. I do not agree, though, that there are two Maines. I do agree that we are trying to help each other, that is our responsibility here, not to divide ourselves. So, thank you very much, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Perry.

Representative **PERRY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I do want to get up and speak again about the readiness. First of all, the racetrack is not going to be built tomorrow. It will take time to plan and put together. In that time of planning and putting it together, there is also going to be time for the communities in the County, to plan and put together what is necessary for it.

The discussion about the need for the added infrastructure—you are darn tootin' that we need it and we should have had it a lot sooner. Whenever the transportation bond issues were not left out of this body, the areas that were put off for development were all of the rural roads and there was not one road that I saw that was not marked in purple to be postponed. Yes, we need infrastructure. We needed it a long time ago, but if the only way we are going to get it, is to bring something in that demands in, you're darn tootin' we want that infrastructure. We have a company ready to bring Broadband. It is a local company, it is within Washington County and needs to work with the funds that will do that. The state has made a commitment to do that. Again, where is the funding to bring that forward?

This is not about just burden. It is going to give us the opportunity to get the infrastructure we need, for our small businesses, for the growth that needs to happen. We have time to plan it because it is not going to happen overnight. It will take time to build and put it together and it will give each of the communities in the County the opportunity to plan and do those things that we need to do. Again, I ask you to vote for this.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Driscoll.

Representative **DRISCOLL**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of LD 805. I have the opportunity and the good fortune to experience the best of both worlds in Maine. I grew up in Washington County. I do not think there could be a better place for a child to grow up, than in Washington County. I grew up in Calais and now I live in Westbrook and my children are growing up there.

My family, as well as a lot of families that lived in Washington County, have out-migrated, primarily because of the economic downturn over the past few decades, in that area of the state. I think this is an opportunity to provide some economic development for Washington County. These are resilient people. These are proud people. These are people that want to make their part of the state as prosperous as the rest of the state. I think that this will give them an opportunity to do that. I support LD 805 and thank you very much, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Passamaquoddy Tribe, Representative Soctomah.

Representative **SOCTOMAH**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. First off, I would like to thank the 75 Representatives that went on the bus tour and experienced Washington County for themselves, instead of reading it from the book. That took a lot and I really appreciate that, you stopping in our community and hearing our dreams and our concerns. We are citizens of Maine. This legislation is not just about Native Americans, it is about citizens of Maine. I have heard the comment "this is Indian legislation." Well, we are putting this forward, but we are also citizens of this state. We have been struggling for over 100 years, to have an economy in our community. This legislation is about fairness. Is it fair for one area of the state to prosper, while another continues to struggle? We have been struggling for an economy for years.

For the last 15 years, we brought this gaming initiative forward, 1992, and somehow it has bypassed us. The state has expanded on its scratch tickets, on its lottery, on the Super Bowl, and then put together a racino in Bangor. Fifteen years, we have invested our time and our money. You have heard about the high unemployment rate in Washington County, it far exceeds the rest of the state. Well for my community, the Passamaquoddy Reservation, our unemployment rate is over 50 percent and it is not because we do not want to work, like I have heard in the hallways. It is because work is not available. People and citizens of Washington County are hard workers—the fishing, the paper industry, the blueberries. It is a hard business, but the fishing is slowly disappearing.

Last year, the Bangor racino brought into the state and local government over $12 million, $12 million into programs that I am sure each one of your committees look at and put towards good use. That was 39 percent of their revenue. We are proposing 41 percent of our revenue, with the additional 2 percent above the Bangor racino—1 percent to go to the Washington County Development Authority and another percent to go to the high schools to help create career and technical development.

Recently, this week, our Tribal Governors and our Joint Council passed a Resolution to set aside 2.5 percent, in addition, of our money, if this comes through, to put into community colleges. We have directed this at the system, the Community College System, concentrating on Washington County and we hear, "Why Washington County?" That is where it is needed the most. I believe that if a dollar goes into the system, the whole system benefits. How many times have we been told "to wait and see how this works out?" How many times have we been told "we will support a racino if it is in Washington County?" We cannot sit down and wait while our homes and our county continue to be left behind. I am asking you to support this, to send a message that other citizens in places that need this, they are being heard in this House. Thank you.

The SPEAKER: The Chair recognizes the Representative from Hollis, Representative Marean.

Representative **MAREAN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise to speak in support of LD 805. I can testify to the results of the economic impact in Bangor, having been personally involved in the harness racing industry for 24 years. The results of the effects of the racino in Bangor have had a tremendous, positive impact on the harness racing industry. There has been concern, expressed here this morning, about whether or not there will be enough horses to supply a track in Washington County. Do not worry. Build the track, they will come. You provide the funds, they will be there. The economic impact that will be provided to Washington County is not just Washington County alone.

I live in York County, southern Maine, where development pressure is absolutely and positively out of control. Three of the

largest breeding farms, in the State of Maine, are in York County. I can tell you from personal experience, that the Bangor racino has increased the price of my babies, at least 10 times—just this one racino. If we build this thing in Washington County, there will be farms in Washington County. You will maintain open space. They will be growing hay. There will be equipment dealers who will be thrilled out of their mind, knowing that there is going to be some additional agricultural exposure in Washington County. This will not hurt the State of Maine. This is only good for the State of Maine, even as far as Kittery. There is a large breeding farm in the Berwicks that is doing very well now because of the racino in Washington County.

I supported this issue in the last Legislature. I am supporting this issue here. I ask you please, to vote yes on this. This will send the message to the people of Maine. We all pretty much understand that this is a good possibility that it could be vetoed, but if comes out of this House with a yes vote, we are saying that we want to support economic development in Washington County. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Valentino.

Representative **VALENTINO**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise today, to debate this issue on such a solemn occasion. I will try to be respectful, Mr. Speaker. I just also wanted to call your attention to two of the sheets that were passed around with my name on it, the pink and the yellow sheet. It states that the current motion on the floor is to move to Majority Ought Not to Pass. These sheets were done last Thursday, when we had scheduled to have the debate come up and it was delayed. So, just to let everyone know that I do know that the current, what we are debating now, is Passage to be Engrossed. Speaking to that, I would like to concentrate, Mr. Speaker and Ladies and Gentlemen of the House, on the issue of whether or not we should let this go to the voters.

First of all, if we vote to have this passed, what happens then if we vote along with the Majority Report coming out of Legal and Vets? Then, if the Chief Executive signs the bill, this would become law and the racino question would not be sent to the voters. If the Chief Executive vetoes this bill, which he has indicated that he would, then the bill is sent back to the House where we would need a two-thirds vote to override it. Then, we will all be placed in the position, whether or not we want to also vote against the Chief Executive's veto.

Just to remind people, in 2005.

The SPEAKER: The Chair will interrupt debate. The Chair recognizes the Representative from Cutler, Representative Emery and inquires as to why he would rise.

Representative **EMERY**: Mr. Speaker, I ask, is there a point of order when you are talking about a veto of the Chief Executive? Is that permitted?

On **POINT OF ORDER,** Representative EMERY of Cutler asked the Chair if the remarks of Representative VALENTINO of Saco were appropriate to the pending question.

The SPEAKER: The Chair would answer in the affirmative. The Chair would remind the members of the body that it is inappropriate to refer to any potential action of another office or body. That includes the Executive Branch and other Chamber—my regrets because I believe that that happened earlier and my apologies. The Representative may proceed.

The Chair advised all members that it is inappropriate to refer to the potential action of the office of the executive or the other body in order to influence the vote of the House.

Representative **VALENTINO**: Thank you Mr. Speaker and thank you for that correction. I will not read B and C on my yellow sheet because it does refer to that and that was taken directly from the Law Library and would not want to read it, but if you do read on the pink sheet, that was exactly what was taken out of the Record on that issue, so I will not read that.

Just again, if we do vote against this Passage to be Engrossed, this will actually allow the Maine citizens to vote on this racino. Through the Citizens' Initiative process, signatures were gathered to allow this question to go to the voters. On January 17, 2007, the Secretary of State's Office determined that 51,096 were valid, which means that this issue is scheduled to go to the voters, in November, on November 6, 2007, unless we vote to circumvent that here today. The Legislature does not know how the citizens of Maine or the citizens of Washington County will vote on this issue. As stated previously, in 2000, Washington County voted against allowing slot machines at Scarborough Downs. In 2003, Washington County voted against having a casino in Sanford. I also have the website here, for the Secretary of State's Office, in case anybody wants to look up on the voting results of their county, or on Washington County.

Also, as stated previously from the good Representative from Farmington, LD 805, since it is a citizen-initiated bill, this bill cannot be amended here by the Legislature and then have the bill become law. What we would have to do, is amend it. If we amended it, is to put it out to referendum as a competing measure. The same thing with the Legal and Veterans Affairs Committee—you realize this was a 12-1 Report coming out of Legal and Vets and they reported it as is because that is what they had to do, either vote Ought to Pass or vote Ought Not to Pass on that. It was not up to the Legal and Veterans Affairs Committee, to determine if this was a good percentage or a bad percentage, or what was in it.

I just wanted to call your attention also, that when we voted on the racino question previously back in 2003, there was an LD called LD 1371, which was the LD that was before the Legislature at that time. When this was passed and approved by the voters, LD 1371 was not adopted further by the Legislature. That was replaced by LD 1820. LD 1805, I do not want to confuse everybody, but it is pretty much based on LD 1820, which I feel and many people feel, need to have another look at 1820. LD 1820 has different percentages to be looked at. I have also read the entire floor debate from 2004, and I will not quote you any of the things from the debate, but this was a very contentious debate, done over several days, back and forth between the House and the other body. There were many, many, many concerns, from people who are still sitting here and have their voice on record on LD 1820, that there were concerns with it, but it was a lot better than 1371. It has been two years now. The racino is up and running in Bangor. We need to take a look at this language again. We need to take a look at these percentages on it. I would just remind you that the question that was voted on, on the racino, previously that the citizens of Maine voted, was "do you want to allow slot machines at certain commercial horse racing tracks, if part of the proceeds are used to lower prescription drug costs for the elderly and disabled, and for scholarships to the state universities and technical colleges." I would ask all of you to please read this bill. This bill is seven pages long. It has all of the percentages in it. The citizens voted in that language on two specific things, on colleges and prescription drugs.

In the 2006-2007 budget, the prescription drugs for the elderly, received $3 million. The Community Colleges and the University of Maine received $900,000. So that is $3.9 million, but under the language of 1820 and also the language of 1805, purse supplements received $3 million, the Sire Stakes Funds, $900,000, Scarborough Downs, who does not have racinos

there, $1.2 million. The Agricultural Fair is $900,000 and the OTB's, Off Track Betting parlors, who were supposed to be harmed by this, $600,000. So while we gave $3.9 million for what the voters voted on, which was the prescription drugs and community colleges, we gave $6.6 million for something that voters really did not have on their question, which is to supplement that.

I call your attention to these numbers, only because these numbers were based on 475 slot machines that are currently up and running for Hollywood Slots. They are expanding to 1,000 slot machines. They can go to 1,500 slot machines. So in our revenue forecast projections for next year, instead of $6.6 million, it is going to be $14.4 million, based on 1,000. Those numbers will go even higher, if it is tripled. We need to take a look—was that what the citizens of Maine voted on? We wanted to help the horse industry and help that debate, but at what point do we say, the State of Maine really needs this money? They need that extra $6 million or $14 million or $20 million. Maybe it was always done to stabilize, not necessarily to go over a certain amount. We really need to look at that bill again, and that is one of my main problems with 805, the bill that you have before you. It is eight pages long. I really wish that you would read it, mainly because I also think that this is going to open a floodgate of bills.

Right now, before the Legal and Vets Committee, if you go on the computer and you look for gaming related bills, there are 17 gaming related bills out here. LD 1828, which was before us the other day for its first reading, is 27 pages long. Now, actually, that is good because it is a casino, not a racino. It is not under the pretense that we need to build a racetrack to have the slots, it is a full-fledged casino.

I also have a question of when we voted on this, it was at certain racetracks that were in existence. Now, we are saying that we are going to build a racetrack and the only reason we are building the racetrack, is to have slot machines. Maybe we should just admit that we need the slots machines, we do not need the racetrack. This says we need a casino. We also have an Act here "To Authorize the Operation of Slot Machines on Indian Island in Old Town." They want to put 400 slot machines in. This is something that I really think that started out as a very small item and has really mushroomed. I think this legislative body needs to take a look at all of it, but most importantly, we have the petitions. We have the signatures. It is ready to go to the ballot. If we vote against Passage to be Engrossed, the citizens will vote on this, on November 6th. We are not denying anybody anything. It gives us an opportunity to look at this bill, to look at the language, to see all the other bills that are coming up.

I would also like to just finalize one point about Washington County that I see on the map here that they passed out, of the shading for Washington County, but I would also say that the same shading goes for Aroostook County, Piscataquis County, and Androscoggin County. Why not have racinos, casinos, and slot machines in those counties? It is showing me the same thing, as far as the income growth projections on it.

I would also like to state that I did go on the tour, the Northern Maine Economic Development Tour, and I have been to Washington County. I have been to community colleges there. I have been to the Downeast Heritage Museum. It is a lovely place, but I look at what was passed out to us when we went down to Pleasant Point, on potential economic ventures that they are currently working on. I see here, their brochure on a tidal power project, a wind power project that they are looking at that could gross over $1.1 million a year, the ambient housing project that they are looking at for environmentally friendly houses, resistant to hurricanes and earthquakes, the LNG Port Terminal infrastructures. This to me is true economic development here. This is currently in the works now. This was given to us on our trip. These are wonderful projects that they are working on. I would think that we would support these projects now, and go forward with these projects and let the voters vote November 6, 2007, the way that the 51,000 people who signed the petitions thought it was going to go—to go to the voters. Do not vote on this now. We need to change the language in the bill. We need to let the voters vote. Thank you.

The SPEAKER: The Chair recognizes the Representative from Boothbay, Representative MacDonald.

Representative **MacDONALD**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of 805, with a confession that I am a puritan. I think I know that because I have never bought the Maine cards, I have never gambled much in my life. You know what the definition of a puritan is? It is "someone who is afraid that somewhere, somebody else far away is actually having a better time than he is." That is me. I am a puritan, but I am still for this bill because I think that there is another issue involved here, which we have not heard much, talked about today. That is one of fairness and equality between the non-tribe and Tribes and the rest of the State of Maine, as a result of the election in 2003.

I do believe that we need to support this, or I hope we support this, in order to bring a situation of equality between the Tribes and the rest of the State of Maine. I would be opposed to any further expansion of gambling in the State of Maine. I myself will probably never set foot in the casinos that we are talking about, or the racinos that we are talking about, but I think fairness and equality in all of our dealings, has to be one of our fundamental principles. Either we get rid of what we already voted in, in the past, or we allow this to happen, and then I hope we let it stop there. Thank you.

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Patrick.

Representative **PATRICK**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House, Colleagues and Friends. I did intend to speak today on this issue, although it took a little while for me to get the courage to come up because I do not have the debating skills a lot of my lawyer friends and other colleagues have, but I will start out with what is the will of the people?

I am here to speak in favor of this bill because the original bill, LD 1371, "An Act to Allow Slot Machines at Commercial Horse Racing Tracks"—plural—was enacted. It came before the Legislature, was voted Ought Not to Pass, sent out to referendum, approved that referendum. This was probably the worst piece of legislation the citizens enacted in the history of referendums.

We heard about payouts. The will of the people in the original referendum, was only going to allow 25 percent to come back to the state, 10 percent was for a Fund for Healthy Maine, which was for prescription drugs, and the other moneys was supposed to help harness racing. It was the good work of then Senator—I cannot even remember his name, I apologize—in the good House Chair, Representative Clark, that worked through LD 1820. They took what the citizens gave us, as a terrible bill, and worked it into something that was not a perfect piece of legislation because I have yet to see a perfect piece of legislation in my seven years in the House, but it seems that every two years, we put in about 3,000 bills and half of them are correct, perfect pieces of legislation—so we will get that one out of the way.

I have quite a bit to say—Economic development in Washington County. Well first of all, let's get to Bangor. Did the racino in Bangor bring any economic development? I would say

yes, the City of Bangor is going to get a $130 million building that is not tax exempt. They are going to get taxes on that. They are building new hotels, new restaurants, things are cooking in Bangor and I am happy for them, I am extremely happy for Bangor. I expect them, sooner or later, to be the largest city in the State of Maine and no thanks to the racino, I am sure.

We talked about the benefits. The Town Manager, I believe, was at the Committee just recently and basically said that they are going to get around $2.1 million every year and that is not counting the extra taxes—I believe that has to do with the building, with the new hotels and the new restaurants and stuff like that. One thing that I know about businesses in any town, is that if you can fill your hotels and you can fill your restaurants, you have done well.

A reference was made, actually, at one point by Representative—there were 96 calls since the racino opened up. Well I had the forethought to say to myself, what am I going to do? I am going to call the Bangor Police Department and find out what those calls were all about and by goodness, that racino, what happened was a lot of traffic problems. Traffic problems—the influx of people in the middle of town caused traffic problems. I asked the Bangor Police, "Did you have to put on about another 50 or 100 people to deal with the crime and the problems in Bangor?" The answer was, "No, none." I called the State Police and said to them, "Do you put on several dozen more because of the crime in Bangor?" They put in none. I asked, I said, "If the racino in Washington County should happen to end up in Calais, would you have to add a couple of dozen more State Police officers, at $110,000 a pop, to handle the racino in Washington County?" The answer was, "No."

There are a lot of changes from the racino bill before us for Washington County and there are those that have their angst about where the money is going. Well, I thought about it myself and knowing that Washington County is a lot more economically depressed than a lot other places, and looking at where the educational moneys are going, I took a look to myself and said, "Where do they stand on sending kids to college and stuff like that?" I think that the averages show that they are actually a little bit behind the state. Two percent of the growth slot machine income must be forwarded to the Board, for the University of Maine Scholarship Fund, and it is going to go in Washington County. One percent will go to the Washington County's Community College. One percent will be going to Washington County Development Authority. One percent will go to career and technical education centers located in Washington County. Is this fair? Probably not, but if a county has been depressed for that long and I have seen first hand, not just the economic tours—my wife and I used some of our hard earned money and we took a trip to Washington County, to find out what is actually going on down there. I will tell you that there is a lot less going on in Washington County than I want to see happening. I would like to see businesses booming and stuff like that, but it does not happen to be that way.

What are some of the problems with the bill? You have heard, my goodness, that lady who lost $100,000. Well, I have no doubt that that could be a possibility, whether I believe it or not, I am not 100 percent sure. I am sure that there are those that are going to be that do lose money because, you know, there are people who are addicted in this society. There are people who are addicted to gambling. I think it is one percent of the people in the United State of America, are already addicted to gambling. They have been addicted before there was a racino in the State of Maine. You have drug addiction in the State of Maine. You have illegal drug addiction and you have legal drug addiction, there are many legal drugs that people are addicted to. You have alcohol addiction. How many people in our society do we have that are addicted to alcohol? We have smoking addiction. What is, like 17 or 20 percent of the people in the State of Maine, are addicted to cigarettes? Shopping addictions. How many people in the State of Maine and in our country, are addicted to shopping? Credit card addiction is rampant in the United States of America, folks. Work in the paper mill that pays probably $50,000 average salary and I will guarantee you right now, 70 percent are in hot because they are living way over their head and they have half a dozen of these little plastic things that just keep driving them stores, to buy more and more and more junk, which they really do not need.

One of the things that really primed me for this is, I will confess, I do gamble. I have probably gone at least 19 times to Las Vegas, twice to Atlantic City, three times to Foxwoods and Mohegan Sons, and about four times to Canada. I want to keep my dollars, my recreational dollars, my discretionary spending dollars, here in the State of Maine. Have I gone, as Chairman of the Legal and Veterans Affairs Committee yet, to Hollywood Slots? No. You ask why? Well one of the reasons I do not want to is because I have not been too enthused about my dollars actually going out of state. I am in hopes that someday the good Representatives and the people of the State of Maine, will have the opportunity, and I think we have it today, as duly elected officials, to do the will of the people, which basically is the same thing as what I am saying in the original referendum that wanted two racinos at commercial tracks. We had that ability to do that.

You talk about the history of the gambling problem. Well I think there have been casinos in Atlantic City older than I have been alive and there have been casinos in Atlantic City and in many states throughout the country, so I do not necessarily if I really think, do we have to have another study? One of the best ways to kill a bill is that we will make into a study and then we will study the study, and study the study the study and you continue on—I should be a member of the "On and On and On Committee."

We look at some of the problems we have. You look at, I cannot support this, I am not going to be reelected. I have been here seven years and I have supported some of the things that I wished I would not have and very seldom does anyone get unelected. We look at, it was brought about to us that what we have to do is take a look at 1820 because the moneys are not going where we want. We have to try to get some more of those moneys for the State of Maine. Well that is one of the problems that I have. No matter what bill you pass, you take your Committee of jurisdiction, with the knowledge of all of the issues and stuff, the bill goes down before the Appropriations table and they whack it and hack it and take out of it what they want, sometimes, without even really giving the due diligence to the Committee and giving you a heads up to go before the Committee—but that is another issue.

Look at making changes to 1820. Now, if the will of the people was that the original referendum to have racinos at commercial tracks, then we the Legislature, for some reason, have the ability to pass laws and make changes, took at look at 1820 and put seven, eight, nine, ten committee hearings in 1820. Now we want to take a look at 1820. What is wrong with us taking a look at our responsibility as duly elected Representatives and do what is right for the people of Washington County?

It is a proven fact that I believe folks, that there is economic development in Bangor. I think it is a proven fact, just out of the 400 machines. Yes, there is going to be more and more dollars, when 1,000 machines come on line, I think in about a year and a half. Yes, there is going to be more and more payouts to the state. Now, I have admitted to the Appropriations Committee, I

do want to come back and take a look at 1820 myself, so I am not going to be a hypocrite. I think when the dollars keep rising and rising, I think we do have to always take a look back because that is the responsible thing to do, but what I really want to concentrate on, is not what it has done—we know what it has done for Bangor. Things look great in Bangor. We know we have the ability to do the right thing. I want to take a look at the economic development in Washington County. This is not going to be the end all be all. We cannot prints billions of dollars like our Federal Government, like drunken sailors, on things that half of us do not agree with anyways, but we can do something for Washington County. The need there is great. None of us can deny that. The thing that I like about this is it still ties a racino into a track. As was once said by the Representative from Calais, there were three vacant tracks in Washington County and there happens to be one racing track that went under in Lewiston, Maine. I used to frequent that with my dad when I was younger and maybe he is the one who got me into the gambling aspect of my life, but there are opportunities for my Committee, when we heard hearings about saving harness racing. Many people came and testified that they were not going to race anymore horses because they did not want to have to go down to New Jersey, to truck their horses for good payouts.

This in itself, I think, has problems with the bill and I do not deny that, but if it is enacted into law, for some reason, I guess, this would be one that we cannot touch later on down the road. Well, I think if we can tweak 1820 down the road, we can take the problems out of 805. I am going to sit down now and try to gather my thoughts because I am sure that I am going to get up at least one more time, but I would urge support of this bill. I would take a close look at, this is not for the whole State of Maine, but this will add economic development—an economic development tool, just one of them—to help them get the moneys they need to do the other things that we want to see them do, so that there will be vitality in Washington County once and for all. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Lee, Representative McLeod.

Representative **McLEOD**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise as the last member of the Washington County Delegation, here this morning, on this subject. I rise in favor of LD 805 and I would encourage this entire body to follow my green light. Thank you.

The SPEAKER: The Chair recognizes the Representative from Sullivan, Representative Eaton.

Representative **EATON**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I promise I will not stand again after I speak, currently. I heard the debate and I have considered this for quite some time now. I am a YMCA Youth Services Director, I work with children. I do not encourage gambling, although I am not opposed to it, but what I frequently encourage teenagers when they struggle in their lives, is to reach into themselves and pick themselves up by their bootstraps, as Representative Perry alluded to earlier. Take charge of your own situation and make it good, do the right thing.

I also look at a situation in human spirit, where people try and try and try again to help themselves—sometimes with great success, sometimes with marginal, sometimes with the feeling that there is nobody out there next to me and I need a little bit of help. Washington County is not the only county in the State of Maine in this kind of situation, but they are my neighbors, I live less than 20 miles from Washington County. I visit there regularly and I have watched them try and try again, as their business base erodes around them, as the traditional ways of making a living erode around them. Sometimes we have had a contentious relationship, apparently, between the State of Maine and our good friends from the Passamaquoddy and the other Indian Nations. I sense a change in that spirit. I sense it when we went on the Maine Development Foundation Tour. I sense it in what I see happening. The Passamaquoddys are trying to pick themselves up by their bootstraps. They do have tidal power projects in mind that they would like to bring about. They have wind power projects in mind. They are doing things to try to help themselves. This is beneficial, also, to all in Washington County. I see a spirit of togetherness between the leadership in Washington County and the Passamaquoddys, to help themselves, together.

Yes, we have had a process for determining this in the past, taking these things to referendum, but today this has come before us—it has come to me. I have an opportunity today to do what I think is the right thing. To me, the right thing today is to support the Passamaquoddy Nation, support the citizens of Washington County, to support the entire Washington County Delegation, to help them help themselves. I encourage everybody in the House to support this bill and vote yes. Thank you very much, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Boland.

Representative **BOLAND**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. There have been very compelling arguments here today, for and against the casino, and I guess I would just like to add mine.

As you know, I am a Representative from Sanford and in Sanford, is where the last casino referendum was going to place a large casino. The casino people wanted to have it in Kittery and it started to come in kind of a sneaky way. When the people of Kittery realized what was going on, there was a great uproar about the whole thing and essentially it was driven away from Kittery. Then the suggestion was to have it come to Sanford. Well at that time, I did not know much about casinos. I knew that there was a lot of need for employment in the Sanford area, so I was pretty much on the fence about what to think about it because I thought, well gee whiz, I do not particularly like the idea, but there are a lot of people who need these jobs. So I kind of, as I said, was on the fence.

So then one day, I was talking to a client of mine in the Buffalo, New York area, just chit chatting what was new and I said, "Well, we might have a casino in Sanford." He got kind of nuts on the whole thing. He said, "Do everything you can to stop it. We have had terrible experiences up here, where we are fighting an awful lot because what happens is they often come in and just say in a small way, but they just keep pushing and pushing and pushing and they just take over so much. Do your research and make sure that when you vote, you know what you are voting about." So, I did a lot for research on that and ended up a lot of that research was part of the casino's no effort and because I found things that were very disturbing to me. In the case of Sanford, it was a full-blown casino, but I think that what we are seeing here is just really the beginnings of getting there with big casinos. There were three reasons that I was really opposed to it.

One was, well maybe there was more than three, was a huge increase in traffic over all of our roads. They estimated about a 20,000 increase on the roads, which would have been terrible a toll on the roads and the neighborhoods and all because the one main road could not carry the traffic coming in all directions, but the larger environmental need that concerned me was water. The estimate that was made and again—this was a casino, a full blown casino, it was not the racino that we are talking about now—but just as a view into the future, this casino, which would

have been, I guess four times the investment that we now see in Bangor, would have drawn, they figured, if everyone who was at the casino in a day, only used enough water to flush a toilet once, it would have taken 36,000 gallons of water out of the aquifer. So, of course, there would have been a tremendously larger amount of water that would be pulled out of the aquifer, every single day.

The other problem that we saw at the time is we did not have, for that project, enough people to staff it. They were going to have to be bringing in a lot more workers from different places, out of state and that sort of thing, just to staff the casino, which of course would have be an extra burden on the town's service and schools and that sort of thing. The worst part about that was in studying this was I found that the average turnover rate in a casino is 50 percent. So, while there are a lot of people coming in to work in the casino, every year half of them were going to be leaving it, if the average is held, to be seeking other work in the community, which would of course put pressure on the jobs for people who are already existing in their employments in the community. So, there were those things.

In addition, the casino lobby is so huge and has so much influence and has so much power, I really worried about its influence coming into Maine. We saw, in the casinos, no effort when it started out, an assumption that Sanford would welcome the casino because it needed jobs so much, it was considered a depressed area and all. The pro casino group had, I forget whether there was three or four times as much money that they poured into the campaign, it was assumed that they could win it, but what actually having it as a referendum allowed, was time. Time for the people to look at the matters, to do their research, to figure out if it would work, how it would work, what it would be—and from going from something that was assumed an easy success in Sanford, Sanford like the rest of the state, voted 2-1 against it. So, while this is not the full-blown casino that was envisioned for Sanford, I think some of the issues were the same. I just ask you to consider letting this have the time, of having people do their research and really understand because if I had just voted on how I felt, I probably would not have informed myself enough, to have a strong feeling that it was really not good for our economy.

Since then, Sanford has grown quite a bit economically. New businesses have come to town that it was projected would not come because they would not want to compete with the casino and the jobs that were going there. So, I really think that we kind of ducked a bullet in Sanford and I just ask that you give some thought and allow this to go to the people, so that they can do their own research. It was rejected in Sanford. It was not a question of two racinos being allowed, it was two specific racinos—one in one place and one in another place. The one in Saco was rejected by the voters of Saco, when they looked to all the surrounding towns, to ask them if they would accept it. They all turned it down. Now, these were communities that could use the money too. These were communities that I am sure would support the harness racing industry, but they all turned it down.

So, I would just ask that you consider letting the voters take a look at this. If it is good for Washington County that is great because I know Washington County certainly needs a lot. I would hate to see the possibility of the casino muscling out some of the other good work that seems to be coming forward in Washington County. I would also like to point out that I do not recall seeing anything about casinos in the Brookings Report, where they were talking about the Maine "brand" and the need for investment in education. While this gives a small amount to education, I do not think that that is what was envisioned as the Maine "brand." So, I just ask that if it turns out that it looks like it is really something good for Washington County and the people all see that, they can let us know in the form of the referendum ballot—but give people the time in Washington County to do their research, as we were able to do in York County. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Blanchette. Having spoken twice now requests unanimous consent to address the House a third time. Is there objection? Chair hears no objection, the Representative may proceed.

Representative **BLANCHETTE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Thank you for indulging me. I do not like to speak a third time on anything, but I was in the retiring room refreshing myself with a cup of coffee and I was listening to my good House Chair, the good Representative from Rumford, Representative Patrick. I think I just have to correct a few of the myths that he put out there about the economic boom to Bangor.

I just got off the phone with my City Manger and asked him about what economic boom had come in since the racino went in. On the drawing boards Ladies and Gentlemen—it is on the drawing boards, but it has not come about yet. No big boom, no big boom—and we as a city had to invest over $3 million of the city's money to purchase property to put the temporary Hollywood Slots into. We have also had to invest about $400,000 of city money repairs and things down at the racetrack.

This is not a freebie. I just cannot drive that home hard enough. The people in Washington County are poor now. To bring this in and with the hope that the money is going to appear? I remind you Ladies and Gentlemen, you do not have a business plan in front of you. There is not one businessman that would stand up in this House and say, "I opened my business on a wing and a prayer." You drew a business plan, you planned for it, and you knew what you were getting into when you turned the lock on that door. I ask you—send this out to the voters. Let the people in Washington County have the time to come up with the answers to these questions, to develop a business plan, and to maybe think if this is good thing, good luck to them. If the people say yes, I will be more than encouraging and try to help them, but give the people—all of the people in Washington County—a chance to weigh in on this. Thank you, Mr. Speaker, for indulging me.

The SPEAKER: The Chair recognizes the Representative from Passamaquoddy Tribe, Representative Soctomah.

Representative **SOCTOMAH**: Thank you Mr. Speaker. Mr. Speaker, Colleagues of the House. The people of Maine have voted. They passed a racino. They have also included 3,000 slots in that and put a time limit on those 1,500. On your desk, I passed out the latest of another tragedy that has occurred in Washington County. The largest private employer in Washington County, last night, laid off 20 percent of their work force. What is going to happen to these families? That is a big blow to the population, when jobs are hard to come by. They do not have a decision, no opportunity, to look for another type of employment.

The SPEAKER: The Chair recognizes the Representative from Farmington, Representative Mills.

Representative **MILLS**: Thank you, Mr. Chair. I rise simply to pose one through the Chair to anyone who may care to answer it.

The SPEAKER: The Representative may pose her question.

Representative **MILLS**: I have read the bill and read part of Title 30 that it refers back to and my question is, where in Section 2 of the bill, defining a tribal commercial track, does it mention Washington County? I ask the question because clearly at the end of the bill when it talks about high-stakes beano, it specifies that the high-stakes beano may be on nontribal land, anywhere in Washington County, without a local referendum by the way, but

when it defines tribal commercial track, it no where says the simple words "in Washington County." So my question is, why not?

The SPEAKER: The Representative from Farmington, Representative Mills has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Sanford, Representative Tuttle.

Representative **TUTTLE**: Mr. Speaker, I pose another question through the Chair.

The SPEAKER: The Representative from Sanford, Representative Tuttle, has posed another question. The Representative may pose his question.

Representative **TUTTLE**: Mr. Speaker, has anyone not made their mind up on this issue an hour ago?

The SPEAKER: The Representative from Sanford, Representative Tuttle has posed a question to the House, to anyone who may chose to answer.

A roll call has been ordered. The pending question before the House is Engrossment. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 25**

YEA - Annis, Austin, Ayotte, Barstow, Berry, Berube, Blanchard, Browne W, Bryant, Burns, Cain, Campbell, Canavan, Clark, Cleary, Cotta, Craven, Cray, Crockett, Driscoll, Duchesne, Duprey, Eaton, Eberle, Edgecomb, Emery, Faircloth, Farrington, Finley, Fischer, Fitts, Fletcher, Flood, Gifford, Giles, Greeley, Grose, Harlow, Haskell, Hinck, Jackson, Jacobsen, Joy, Koffman, Lundeen, MacDonald, Makas, Marean, Marley, McDonough, McFadden, McLeod, Miller, Millett, Moore, Nass, Patrick, Peoples, Perry, Pieh, Pineau, Pingree, Pinkham, Piotti, Pratt, Richardson W, Rines, Robinson, Savage, Saviello, Schatz, Simpson, Sykes, Tardy, Theriault, Tibbetts, Trinward, Tuttle, Vaughan, Walcott, Weddell, Mr. Speaker.

NAY - Adams, Babbidge, Beaudette, Beaudoin, Beaulieu, Blanchette, Bliss, Boland, Brautigam, Carter, Casavant, Cebra, Chase, Connor, Crosthwaite, Curtis, Dill, Dunn, Finch, Gerzofsky, Gould, Hamper, Hanley S, Hayes, Hill, Hogan, Hotham, Kaenrath, Knight, Lewin, Mazurek, McKane, Mills, Miramant, Norton, Percy, Pilon, Plummer, Prescott, Priest, Rand, Rector, Richardson D, Richardson E, Rosen, Samson, Silsby, Sirois, Smith N, Strang Burgess, Sutherland, Thibodeau, Treat, Valentino, Wagner, Watson, Weaver, Webster, Wheeler, Woodbury.

ABSENT - Conover, Cressey, Fisher, Lansley, Muse, Pendleton, Thomas, Walker.

Yes, 82; No, 60; Absent, 8; Vacant, 1; Excused, 0.

82 having voted in the affirmative and 60 voted in the negative, with 8 being absent, 1 vacancy, and accordingly the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

---

**ENACTORS**

**Emergency Measure**

An Act To Protect Seniors and the Public from Unfair Health Insurance Sales Practices

(H.P. 332) (L.D. 416)
(S. "A" S-25 to C. "A" H-29)

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

Representative FAIRCLOTH of Bangor **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is Enactment. All those in favor will vote yes, those opposed will vote no.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

**ROLL CALL NO. 26**

YEA - Adams, Annis, Austin, Ayotte, Babbidge, Barstow, Beaudette, Beaudoin, Beaulieu, Berry, Berube, Blanchard, Blanchette, Bliss, Boland, Brautigam, Browne W, Bryant, Burns, Cain, Campbell, Carter, Casavant, Chase, Clark, Cleary, Connor, Cotta, Craven, Cray, Crockett, Crosthwaite, Curtis, Dill, Driscoll, Duchesne, Dunn, Duprey, Eaton, Eberle, Edgecomb, Emery, Faircloth, Farrington, Finch, Finley, Fischer, Fitts, Fletcher, Flood, Gerzofsky, Gifford, Giles, Gould, Grose, Hamper, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hotham, Jackson, Jacobsen, Joy, Kaenrath, Knight, Koffman, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek, McDonough, McFadden, McKane, McLeod, Miller, Millett, Mills, Miramant, Moore, Nass, Norton, Patrick, Peoples, Percy, Perry, Pieh, Pilon, Pineau, Pingree, Pinkham, Piotti, Plummer, Pratt, Prescott, Priest, Rand, Rector, Richardson D, Richardson E, Richardson W, Rines, Robinson, Rosen, Samson, Savage, Saviello, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Tibbetts, Treat, Trinward, Tuttle, Valentino, Vaughan, Wagner, Walcott, Walker, Watson, Weaver, Webster, Weddell, Wheeler, Woodbury.

NAY - NONE.

ABSENT - Canavan, Cebra, Conover, Cressey, Fisher, Greeley, Lansley, Muse, Pendleton, Thomas, Mr. Speaker.

Yes, 139; No, 0; Absent, 11; Vacant, 1; Excused, 0.

139 having voted in the affirmative and 0 voted in the negative, with 11 being absent, 1 vacancy, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

---

**Emergency Measure**

An Act Regarding the Authority of the Commissioner of Inland Fisheries and Wildlife To Issue Licenses to Beagle Clubs To Trap Snowshoe Hares

(H.P. 386) (L.D. 503)
(C. "A" H-35)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 107 voted in favor of the same and 35 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

---

**Emergency Measure**

An Act To Continue the Protection of Marine Waters and Organisms from the Risks Posed by the Applications of Pesticides

(H.P. 665) (L.D. 875)
(H. "A" H-46)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 142 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

---