

# MAINE STATE LEGISLATURE

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Senate Legislative Record  
One Hundred and Twenty-Third Legislature

State of Maine

Daily Edition

First Regular Session  
December 6, 2006 to June 21, 2007

Pages 1 - 1266

Representatives:

MOORE of Standish  
WEDDELL of Frankfort  
PINKHAM of Lexington Township  
TRINWARD of Waterville  
PATRICK of Rumford  
TUTTLE of Sanford  
NASS of Acton  
GOULD of South Berwick  
FITTS of Pittsfield

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Senator:

PLOWMAN of Penobscot

Representative:

BLANCHETTE of Bangor

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-572)**.

Reports **READ**.

Senator **MARRACHÉ** of Kennebec moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

**THE PRESIDENT:** The Chair recognizes the Senator from Somerset, Senator Mills.

Senator **MILLS:** Thank you, Madame President. May I inquire as to whether this is an authorization for 400 new slot machines in Maine?

**THE PRESIDENT:** The Senator from Somerset, Senator Mills poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Penobscot, Senator Plowman.

Senator **PLOWMAN:** Thank you, Madame President. In answer to the question, this would authorize an additional 400 slot machines in the State of Maine.

On motion by Senator **MILLS** of Somerset, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Turner.

Senator **TURNER:** Thank you, Madame President. A clarifying question on the 400 slot machines: Does this mean that we are still within the 1,500 limitation or is it an additional 400 beyond the 1,500?

**THE PRESIDENT:** The Senator from Cumberland, Senator Turner poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Penobscot, Senator Plowman.

Senator **PLOWMAN:** Thank you, Madame President. This would be an additional 400 machines.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Turner.

Senator **TURNER:** Thank you, Madame President. My understanding is that this means that we would be authorizing a total of 1,900 slot machines. We have 1,500 associated with the Bangor Raceway and now we're saying this is an additional 400 beyond the 1,500, making 1,900?

**THE PRESIDENT:** The Chair recognizes the Senator from Oxford, Senator Bryant.

Senator **BRYANT:** Thank you, Madame President, ladies and gentlemen of the Senate. This is an opportunity for what I would call a section of Maine that hasn't had an opportunity for economic development, that hasn't had an opportunity to actually promote and improve their livelihood. What this would do is give an opportunity to have an economic development situation on Indian Island in Old Town, where they would have an opportunity to improve their revenue stream. This bill has been here before. They have an opportunity to do this and I think we should continue to try to allow them to do that. It's not going to hurt the status of businesses currently and I think that by allowing them to have an opportunity to do it we'll put no burden on anybody else. I encourage you to vote for the pending motion.

**THE PRESIDENT:** The Chair recognizes the Senator from Penobscot, Senator Schneider.

Senator **SCHNEIDER:** Thank you, Madame President, men and women of the Senate. I stand before you to let you know that I have never liked slot machines; I have never wanted to support slot machines. However, there was a referendum question to allow slot machines to come forward in Bangor because of the economic development piece. I was a citizen, I was not a legislator at the time, and I supported that because of the economic development piece. I also supported it when the Senator from Washington, Senator Raye, made his plea for Washington County. I also hope that you will support this. This is an issue of fairness and I believe that we ought to allow this to occur. People are interested in economic development and this is one tool in the toolbox. Even though I do not like slot machines myself, I am going to support the Majority Ought To Pass As Amended report. I hope you'll join me in that support. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Somerset, Senator Mills.

Senator **MILLS:** Madame President, men and women of the Senate. Once we let in 1,500 slot machines in Bangor, we had an adverse effect on high stakes bingo games being conducted by the Penobscot Nation. If we keep on going on down this slope, it has had noticeably an adverse impact on the OTBs. It's

had an adverse effect on bingo games conducted by churches, by American Legion posts, and other charitable clubs that are authorized by statute to do these things. It will probably have some adverse impact on the fairs. There will be no end to this. By the time we're done, we'll have a slot machine in everyone's living room just because everybody's had an adverse impact from the initial slot of 1,500 that we authorized. There is no end to this. We have to draw the line somewhere. I'm concerned about what's happening to the Penobscot Nation. I don't think we should have let in the Bangor competition in the first place, but having done so, I think we should stop here and that's why I'm voting no on the pending motion. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Kennebec, Senator Marraché.

Senator **MARRACHÉ:** Thank you, Madame President, men and women of the Senate. Our committee voted almost totally in favor of this, but we wanted to make sure that the Body understands that the amendment put in the extra 400 slot machines. The 1,500 limit was not something that was set in stone. That was set by the Legislature and not by the people. There is no reason to not increase it by 400. I understand the concerns about having slot machines all over the place. There's another bill coming before us that would actually do that. I do not support that. In this situation we are having them confined to an area where there is already high stakes bingo going on, and a lot of the people going there are from out-of-state. This is a way to make a lot more money off of people coming in to gamble in a high stakes bingo area anyway. This can be a larger draw for them and it would provide money for people running the slot machines who need it. The economy is very slow compared to the rest of us and they need the extra money to increase their revenues. If you look at the fiscal note, it's quite large. They've also been very generous to have their revenue increases go out to the people, to help those who might be impacted by the increase of slot machines and the gambling that might come their way. They also are putting some into college scholarships and also helping other organizations throughout the state. We need to think of this very carefully as an economic boost to the entire Maine economy.

**THE PRESIDENT:** The Chair recognizes the Senator from Waldo, Senator Weston.

Senator **WESTON:** Thank you, Madame President, men and women of the Senate. I think I've said this before, but I have never gambled. I've never bought a lottery ticket. I don't play bingo. Coming soon we're going to see a bill before us about restrictions of businesses. It's talking about redemption centers but even that is not saying there should only be one redemption company in the entire state. This is saying, 'You've got a corner on slots, nobody else can participate.' I know we've heard this is about fairness, but I believe that's true. Whether you like gambling or not, this is giving one group the corner on the market. Thank you.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Kennebec, Senator Marraché to Accept the Minority Ought to Pass as Amended Report. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

#### ROLL CALL (#157)

YEAS: Senators: BENOIT, BRANNIGAN, BRYANT, DAMON, DOW, GOOLEY, HASTINGS, MARRACHE, MARTIN, MCCORMICK, MITCHELL, NUTTING, PERRY, RAYE, ROSEN, SAVAGE, SCHNEIDER, SHERMAN, WESTON, THE PRESIDENT - BETH G. EDMONDS

NAYS: Senators: BARTLETT, BOWMAN, BROMLEY, COURTNEY, DIAMOND, HOBBS, MILLS, NASS, PLOWMAN, ROTUNDO, SMITH, SNOWE-MELLO, STRIMLING, SULLIVAN, TURNER

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **MARRACHÉ** of Kennebec to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

#### READ ONCE.

Committee Amendment "A" (H-572) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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All matters thus acted upon were ordered sent down forthwith for concurrence.

#### ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (5/22/07) Assigned matter:

Bill "An Act To Provide Parity in the Laws Regarding Licensing of Electricians"

H.P. 986 L.D. 1403

Tabled - May 22, 2007, by Senator **MITCHELL** of Kennebec

Pending - **PASSAGE TO BE ENGROSSED**, in concurrence

(In House, May 16, 2007, **PASSED TO BE ENGROSSED**.)

(In Senate, May 22, 2007, **READ A SECOND TIME**.)

**PASSED TO BE ENGROSSED**, in concurrence.

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The Chair laid before the Senate the following Tabled and Later (5/29/07) Assigned matter:

Resolve, To Establish a Second Public Safety Answering Point for Kennebec County (EMERGENCY)

S.P. 184 L.D. 593

Tabled - May 29, 2007, by Senator MITCHELL of Kennebec

Pending - **ADOPTION OF COMMITTEE AMENDMENT "A" (S-152)**

(In Senate, May 29, 2007, **OUGHT TO PASS AS AMENDED** Report from the Committee on **UTILITIES AND ENERGY READ** and **ACCEPTED. READ ONCE.** Committee Amendment "A" (S-152) **READ.**)

On motion by Senator MITCHELL of Kennebec, **TABLED** until Later in Today's Session, pending **ADOPTION** of Committee Amendment "A" (S-152).

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The Chair laid before the Senate the following Tabled and Later (6/5/07) Assigned matter:

SENATE REPORTS - from the Committee on **UTILITIES AND ENERGY** on Bill "An Act To Revise Maine's Utility Reorganization Laws"

S.P. 679 L.D. 1866

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-191)** (7 members)

Minority - **Ought Not to Pass** (6 members)

Tabled - June 5, 2007, by Senator BARTLETT of Cumberland

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report

(In Senate, June 5, 2007, Reports **READ.**)

On motion by Senator WESTON of Waldo, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#158)**

YEAS: Senators: BOWMAN, BRANNIGAN, BRYANT, DAMON, HOBBS, MILLS, MITCHELL, NUTTING, PERRY, ROTUNDO, SCHNEIDER, STRIMLING, SULLIVAN, THE PRESIDENT - BETH G. EDMONDS

NAYS: Senators: BARTLETT, BENOIT, BROMLEY, COURTNEY, DIAMOND, DOW, GOOLEY, HASTINGS, MARRACHE, MARTIN, MCCORMICK, NASS, PLOWMAN, RAYE, ROSEN, SAVAGE, SHERMAN, SMITH, SNOWE-MELLO, TURNER, WESTON

14 Senators having voted in the affirmative and 21 Senators having voted in the negative, the motion by Senator BARTLETT of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **FAILED.**

On motion by Senator SMITH of Piscataquis, the Minority **OUGHT NOT TO PASS** Report **ACCEPTED.**

Sent down for concurrence.

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All matters thus acted upon were ordered sent down forthwith for concurrence.

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The Chair laid before the Senate the following Tabled and Later (6/12/07) Assigned matter:

SENATE REPORTS - from the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Govern Publicly Funded Advertising during Campaigns"

S.P. 630 L.D. 1779

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-246)** (8 members)

Minority - **Ought Not to Pass** (5 members)

Tabled - June 12, 2007, by Senator MARRACHÉ of Kennebec

Pending - motion by same Senator to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report (Roll Call Ordered)

(In Senate, June 12, 2007, Reports **READ.**)

Senator MARRACHÉ of Kennebec requested and received leave of the Senate to withdraw her motion to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

On motion by same Senator, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED.**

**READ ONCE.**

Committee Amendment "A" (S-246) **READ.**

On motion by Senator MARRACHÉ of Kennebec, Senate Amendment "A" (S-302) to Committee Amendment "A" (S-246) **READ.**

**THE PRESIDENT:** The Chair recognizes the Senator from Washington, Senator Raye.

Senator RAYE: Madame President, men and women of the Senate. I rise in support of the motion by the Senator from Kennebec, Senator Marraché. As the sponsor of the bill, I consider it a friendly amendment.