

# MAINE STATE LEGISLATURE

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**Legislative Record**  
**House of Representatives**  
**One Hundred and Twenty-Third Legislature**  
**State of Maine**

**Volume III**

**First Special Session**

April 1, 2008 - April 18, 2008

**Appendix**  
**House Legislative Sentiments**  
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On motion of Representative FAIRCLOTH of Bangor, was **SET ASIDE**.

The same Representative **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 Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 298**

**YEA** - Adams, Austin, Babbidge, Beaudette, Beaudoin, Beaulieu, Berry, Blanchard, Bliss, Boland, Brautigam, Briggs, Browne W, Bryant, Burns, Cain, Campbell, Canavan, Carey, Carter, Casavant, Cleary, Connor, Craven, Crockett, Dill, Driscoll, Duchesne, Duprey, Eaton, Eberle, Edgecomb, Faircloth, Farrington, Finch, Finley, Fischer, Fletcher, Flood, Giles, Gould, Greeley, Grose, Hamper, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Jones, Kaenrath, Koffman, Makas, Marean, Marley, Mazurek, McDonough, McKane, Miller, Millett, Mills, Miramant, Nass, Norton, Patrick, Peoples, Percy, Perry, Pieh, Pilon, Pingree, Piotti, Plummer, Pratt, Prescott, Priest, Rand, Rector, Richardson D, Richardson W, Rines, Rosen, Samson, Sarty, Savage, Saviello, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Sykes, Theriault, Treat, Trinward, Tuttle, Valentino, Wagner, Watson, Weaver, Webster, Weddell, Wheeler, Woodbury, Mr. Speaker.

**NAY** - Annis, Ayotte, Berube, Cebra, Chase, Clark, Cotta, Cray, Crosthwaite, Curtis, Fitts, Gifford, Jackson, Jacobsen, Johnson, Joy, Knight, Lansley, Lewin, Lundeen, McFadden, McLeod, Moore, Pinkham, Robinson, Tardy, Thibodeau, Thomas, Tibbetts, Vaughan, Walker.

**ABSENT** - Barstow, Blanchette, Conover, Dunn, Emery, Fisher, Gerzofsky, MacDonald, Muse, Pendleton, Pineau.

Yes, 109; No, 31; Absent, 11; Excused, 0.

109 having voted in the affirmative and 31 voted in the negative, with 11 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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Resolve, To Encourage Renewable Energy and Energy Conservation in Maine

(H.P. 1529) (L.D. 2149)  
(C. "A" H-790)

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

On motion of Representative **FITTS** of Pittsfield, was **SET ASIDE**.

The same Representative **REQUESTED** a roll call on **FINAL PASSAGE**.

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 Final Passage. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 299**

**YEA** - Adams, Annis, Austin, Ayotte, Babbidge, Beaudette, Beaudoin, Beaulieu, Berry, Berube, Blanchard, Blanchette, Bliss, Boland, Brautigam, Briggs, Browne W, Bryant, Burns, Campbell, Canavan, Carey, Carter, Casavant, Cebra, Chase, Clark, Cleary, Connor, Cotta, Craven, Cray, Crockett, Crosthwaite, Curtis, Driscoll, Duchesne, Duprey, Eaton, Eberle, Edgecomb, Faircloth, Farrington, Finch, Finley, Fischer, Fisher, Fitts, Fletcher, Flood, Gifford, Giles, Gould, Greeley, Grose, Hamper, Hanley S, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Jackson, Jacobsen,

Johnson, Jones, Joy, Kaenrath, Knight, Koffman, Lansley, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, Mazurek, McDonough, McFadden, McKane, McLeod, Miller, Millett, Mills, Moore, Nass, Norton, Patrick, Peoples, Percy, Pieh, Pilon, Pingree, Pinkham, Piotti, Plummer, Pratt, Prescott, Priest, Rand, Rector, Richardson D, Richardson W, Rines, Robinson, Rosen, Samson, Sarty, Savage, Saviello, Schatz, Silsby, Simpson, Sirois, Smith N, Strang Burgess, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tibbetts, Treat, Trinward, Tuttle, Valentino, Vaughan, Wagner, Walker, Watson, Weaver, Webster, Wheeler, Woodbury, Mr. Speaker.

**NAY** - NONE.

**ABSENT** - Barstow, Cain, Conover, Dill, Dunn, Emery, Gerzofsky, Miramant, Muse, Pendleton, Perry, Pineau, Weddell.  
Yes, 138; No, 0; Absent, 13; Excused, 0.

138 having voted in the affirmative and 0 voted in the negative, with 13 being absent, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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The following items were taken up out of order by unanimous consent:

**UNFINISHED BUSINESS**

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

An Act Regarding Clinical Review of Certain Requests for Involuntary Mental Health Treatment (EMERGENCY)

(S.P. 844) (L.D. 2193)

(C. "A" S-445)

**TABLED** - March 19, 2008 (Till Later Today) by Representative **PERRY** of Calais.

**PENDING - PASSAGE TO BE ENACTED.**

On motion of Representative **PERRY** of Calais, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED**.

The same Representative **PRESENTED House Amendment "A" (H-886)** which was **READ** by the Clerk and **ADOPTED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-445)** and **House Amendment "A" (H-886)** in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH.**

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**HOUSE REPORT - Ought to Pass as Amended by Committee Amendment "B" (H-788)** - Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Authorize the Operation of Slot Machines on Indian Island in Old Town"

(H.P. 532) (L.D. 701)

**TABLED** - March 26, 2008 (Till Later Today) by Representative **PATRICK** of Rumford.

**PENDING - ACCEPTANCE OF COMMITTEE REPORT.**

The Unanimous Committee Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "B" (H-788)** was **READ** by the Clerk.

Representative **BLANCHARD** of Old Town **PRESENTED House Amendment "A" (H-845)** to **Committee Amendment "B" (H-788)**, which was **READ** by the Clerk.

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

Representative **BLANCHARD**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This bill has been hanging around the House since June of last year, an amendment had been passed, and it was tabled until this session here. Ladies and Gentlemen, this amendment is not to increase gambling in the State of Maine, but basically it is to return the Penobscot Tribe what they had in the past.

This amendment will do two things: First of all, it will allow just 100 slots, and not 400. Second, these slots will only be active when the tribes are having their super bingo weekends. Now the reasons for this amendment—probably it is two or threefold, and maybe more than that—but the Tribe had slots when they initially started having super bingo weekends. The state removed them, they continued with their super bingos, they were quite successful, and they were able to maintain a lot of the programs and to drive and institute it. But basically what had happened over the past three or four years, the Bangor Slots had cut in, took basically some of the proceeds that the Tribe needed, and this is not because I am against the Bangor Slots, okay? What happens is that the Tribe puts together what they have to do to transport out-of-staters, you know with bus arrangements, hotel arrangements and whatever is needed for the weekend of bingo. So the busloads come, and there is no place for them to stay in Old Town or Orono because we only have two small motels, so they stay in the Bangor area. The first day, which is the first day which is on a Saturday, they all arrive at the bingo parlor, and they play all day long. The second day, of course they are staying in Bangor, so if they get a little bit bored they say let's stay here and we'll go play Bangor Slots, so the revenues have dwindled and I do not blame the Bangor Slots.

All I say is that what is fair is fair. The loss of revenue has hurt so bad that they have had to layoff two of their fish and wildlife game wardens, which the state is now helping to pick up as far as covering their Indian territories. There have been cuts in their youth programs; there have been cuts in their medical service programs on the special functions for alcoholism, drug abuse, and family abuse. The Tribe recognizes that this is not a fix all; these 100 slots probably will take quite a while to replace the income that they have lost. We hope that this is more than a Band-Aid. These are very, very proud people. I ask for your support on this amendment and I would ask the Speaker, and I request for a roll call. Thank you, Mr. Speaker.

Representative **BLANCHARD** of Old Town **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-845) to Committee Amendment "B" (H-788)**.

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 Bangor, Representative Blanchette.

Representative **BLANCHETTE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I believe I would be remiss in my responsibility to point out to this body that the good Representative from Old Town, Representative Blanchard, has what is in his mind the very best thoughts and feelings of compassion and empathy for the tribe that is in his district, and I would expect no less from the good Representative from Old Town, he has always been a caring, compassionate person. But I need to remind you that with the 100 machines, whether it is 400 or 100, come the state regulations that were passed into law by this Legislature that regulate gambling, and to limit the Tribe to 100 machines that will only run on what is by today's practice but can, at the Tribe's discretion, change to 26 weekends a year—right now they are only running 7—that is not going to make enough money to pay the light bill on that bingo parlor up there, much less distribute the proceeds to all of the charitable

organizations that are going on. I am the first one to stand here and tell you that the tribes in Maine, both the Passamaquoddy, the Penobscot, and the other two tribes have trouble, but I am also here to tell you that the residents of the State of Maine do too, so I am going to ask you to defeat this Adoption of Amendment "A," and let's put this to bed finally.

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Representative **PINGREE** of North Haven assumed the Chair.

The House was called to order by the Speaker Pro Tem.

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The **SPEAKER PRO TEM**: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A" (H-845) to Committee Amendment "B" (H-788). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 300**

**YEA** - Austin, Ayotte, Beaudoin, Beaulieu, Berry, Berube, Blanchard, Bliss, Boland, Brautigam, Briggs, Browne W, Bryant, Burns, Cain, Campbell, Canavan, Carey, Carter, Casavant, Cebra, Chase, Clark, Cleary, Connor, Cotta, Craven, Cray, Crockett, Crosthwaite, Dill, Duchesne, Eaton, Eberle, Edgecomb, Faircloth, Farrington, Finley, Fitts, Fletcher, Gerzofsky, Gifford, Giles, Gould, Greeley, Grose, Hamper, Harlow, Hill, Hinck, Jackson, Jacobsen, Johnson, Joy, Koffman, Lansley, Lewin, Lundeen, MacDonald, Makas, Marean, Marley, McDonough, McFadden, McLeod, Miller, Millett, Mills, Nass, Patrick, Peoples, Perry, Pieh, Pingree, Pinkham, Piotti, Pratt, Prescott, Priest, Richardson D, Richardson W, Rines, Robinson, Rosen, Samson, Sarty, Savage, Saviello, Schatz, Simpson, Sirois, Sykes, Tardy, Theriault, Tibbetts, Trinward, Tuttle, Vaughan, Walker, Weddell, Mr. Speaker.

**NAY** - Adams, Annis, Babbidge, Beaudette, Blanchette, Curtis, Driscoll, Duprey, Finch, Fischer, Fisher, Flood, Hanley S, Haskell, Hayes, Hogan, Jones, Knight, Mazurek, McKane, Miramant, Moore, Norton, Percy, Pilon, Plummer, Rand, Rector, Silsby, Smith N, Strang Burgess, Sutherland, Thibodeau, Thomas, Treat, Valentino, Wagner, Watson, Weaver, Webster, Wheeler, Woodbury.

**ABSENT** - Barstow, Conover, Dunn, Emery, Kaenrath, Muse, Pendleton, Pineau.

Yes, 101; No, 42; Absent, 8; Excused, 0.

101 having voted in the affirmative and 42 voted in the negative, with 8 being absent, and accordingly **House Amendment "A" (H-845) to Committee Amendment "B" (H-788) was ADOPTED.**

**Committee Amendment "B" (H-788) as Amended by House Amendment "A" (H-788) thereto was ADOPTED.**

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The Speaker resumed the Chair.

The House was called to order by the Speaker.

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The Bill was assigned for **SECOND READING** Wednesday, April 2, 2008.

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An Act To Amend the Laws Regarding School Funding (EMERGENCY)

(S.P. 741) (L.D. 1932)  
(CC. "A" S-467)

**TABLED** - March 27, 2008 (Till Later Today) by Representative **PINGREE** of North Haven.