

MAINE STATE LEGISLATURE

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

Daily Edition

First Regular Session

December 1, 2010 – June 29, 2011

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Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-509)** on Bill "An Act To Amend the Beano Laws" (H.P. 1083) (L.D. 1474)

Signed:
Senators:
FARNHAM of Penobscot
PLOWMAN of Penobscot

Representatives:
BEAULIEU of Auburn
CAREY of Lewiston
CHIPMAN of Portland
CROCKETT of Bethel
DAMON of Bangor
JOHNSON of Eddington
LONGSTAFF of Waterville
RUSSELL of Portland
VALENTINO of Saco
WILLETTE of Presque Isle

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.
Signed:
Senator:
PATRICK of Oxford

Representative MITCHELL of the Penobscot Nation - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-509)** Report.

READ.

On motion of Representative BEAULIEU of Auburn, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.
The Bill was **READ ONCE**. **Committee Amendment "A" (H-509)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-509)** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

The House recessed until 2:00 p.m.

(After Recess)

The House was called to order by the Speaker.

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

**REPORTS OF COMMITTEE
Divided Report**

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-522)** on Bill "An Act To Allow

Table Games at a Facility Licensed To Operate Slot Machines on January 1, 2011"

(H.P. 1044) (L.D. 1418)

Signed:
Senators:
FARNHAM of Penobscot
PATRICK of Oxford
PLOWMAN of Penobscot

Representatives:
CHIPMAN of Portland
CROCKETT of Bethel
DAMON of Bangor
JOHNSON of Eddington
LONGSTAFF of Waterville
RUSSELL of Portland
VALENTINO of Saco
WILLETTE of Presque Isle

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:
Representatives:
BEAULIEU of Auburn
CAREY of Lewiston

Representative MITCHELL of the Penobscot Nation - of the House - supports the Minority **Ought Not to Pass** Report.

READ.

Representative BEAULIEU of Auburn moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative CAREY of Lewiston **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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 Lewiston, Representative Carey.

Representative **CAREY**: Thank you, Mr. Speaker. Just a few quick words for the record. The bill that is before us right now is before us on an argument that there is an inequity in current law, that there was a bill, the racino that was passed in 2003 and casino that was passed in 2010, essentially reflect the will of the voters to expand gambling in both times and that the voters didn't make a distinction between a racino and a casino, and this bill would equalize those two in terms of what they can do.

I commend the sponsor of the bill, Representative Damon from Bangor, and the other Representatives who have worked so hard on this bill, and I have told them that I support the intent of this and I will work next year to make sure that that happens and don't believe that at that point it should go out to the voters if that's the will of the Legislature I am supporting. I am against this today, and I just want to explain briefly why that is.

The argument before us is that this is righting an inequity, that because the two different times they were passed, it is inequitable that one company has something that the other doesn't and this would make that equal. There are a bunch of problems with that argument of equity that cannot be fixed in this legislative session. Let me explain. Because of two bills that we will consider at a later time to citizen's initiatives, there are many things that we can't do, otherwise it would trigger a competing measure to those bills. One of the items was brought forward initially in this bill before it was amended out. There are certain tax provisions having to do with the Bangor casino that can't be

equalized with Oxford. Oxford doesn't have those tax provisions. There is an equity issue there that can't be dealt with until next year when there is no citizen's initiative before us. That is the first equity issue that we can't solve this year.

The second equity issue is this is only inequitable once Oxford opens. Oxford, with their most optimistic pronouncements, is that they will open sometime in April of next year. There is plenty of time for this Legislature in the next session to solve the equity issue before Oxford opens and creates inequity.

Finally, the argument is that there is inequity between two different potential casinos. Later this afternoon and potentially later this week, we will consider propositions from the voters to have three additional casinos. Each of those three are different than the existing two in law and from themselves. There will be inequities that are created if one or three of those casinos or racinos are passed. So again, we'll be here next year fixing an inequity. I think we do need to standardize, once we come into session next year, we need to look at any casino/racino that exists and make them standard across the board, that it's clear that one business could do the same thing that another business could do under the same tax structures and so forth. We can't do that this year and I ask you vote red on this motion. Thank you, Mr. Speaker.

On motion of Representative MITCHELL of the Penobscot Nation, **TABLED** pending the motion of Representative BEAULIEU of Auburn to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned. (Roll Call Ordered)

CONSENT CALENDAR

First Day

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

(S.P. 253) (L.D. 850) Bill "An Act To Improve the Enforcement of Laws Protecting Dogs" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-243)**

(S.P. 385) (L.D. 1264) Bill "An Act To Improve the Energy Efficiency of Public Buildings and Create Jobs" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-244)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the Senate Papers were **PASSED TO BE ENGROSSED as Amended** in concurrence.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-245)** on Bill "An Act To Amend Certain Provisions of Maine Fish and Wildlife Laws"

(S.P. 317) (L.D. 1084)

Signed:

Senators:

MARTIN of Kennebec

PATRICK of Oxford

TRAHAN of Lincoln

Representatives:

DAVIS of Sangerville

BRIGGS of Mexico

CLARK of Millinocket
 CRAFTS of Lisbon
 EBERLE of South Portland
 ESPLING of New Gloucester
 GUERIN of Glenburn
 SARTY of Denmark
 WOOD of Sabattus

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-246)** on same Bill.

Signed:

Representative:

SHAW of Standish

Came from the Senate 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" (S-245)**.

READ.

On motion of Representative DAVIS of Sangerville, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-245)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-245)** in concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Establish Positive Reentry Parole"

(H.P. 1101) (L.D. 1500)

Signed:

Senators:

MASON of Androscoggin

GERZOFISKY of Cumberland

Representatives:

PLUMMER of Windham

BLODGETT of Augusta

BURNS of Whiting

CLARKE of Bath

HANLEY of Gardiner

HASKELL of Portland

LAJOIE of Lewiston

LONG of Sherman

MORISSETTE of Winslow

SANDERSON of Chelsea

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-512)** on same Bill.

Signed:

Senator:

WHITTEMORE of Somerset

READ.

Representative PLUMMER of Windham moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative TUTTLE of Sanford **REQUESTED** a division on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.