

# MAINE STATE LEGISLATURE

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guidance of some of the long time members of that committee, we did agree to carry over a bill with that hopes that at some point in time, when we determine what is going to exist in this gaming world of ours, we will be able to finally get a comprehensive look and look at it under the guideline or vehicle that the committee has carried over. Once we establish what's going to be in place, absolutely, we'd love to look at everything in that way. For now, we'd like to get ahead of and provide some guidelines in the event that one of these facilities already licensed would be able to add table games.

**THE PRESIDENT:** The pending question before the Senate is Passage to be Engrossed as Amended by Committee Amendment "A" (H-522), in Non-Concurrence. 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 (#248)**

**YEAS:** Senators: BRANNIGAN, COURTNEY, CRAVEN, DIAMOND, FARNHAM, HOBBS, JACKSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PLOWMAN, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SULLIVAN, TRAHAN, WHITTEMORE, THE PRESIDENT - KEVIN L. RAYE

**NAYS:** Senators: ALFOND, BARTLETT, COLLINS, GERZOFKY, HASTINGS, HILL, PATRICK, RECTOR, SNOWE-MELLO, THIBODEAU, THOMAS, WOODBURY

**EXCUSED:** Senators: DILL, GOODALL

21 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 2 Senators being excused, the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-522), in NON-CONCURRENCE.**

Sent down for concurrence.

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The Chair laid before the Senate the following Tabled and Later (6/10/11) Assigned matter:

HOUSE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act Regarding Establishing a Slot Machine Facility"

I.B. 1 L.D. 985

Majority - **Ought Not to Pass** (11 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-436)** (2 members)

Tabled - June 10, 2011, by Senator **COURTNEY** of York

Pending - **FURTHER CONSIDERATION**

(In House, June 6, 2011, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-436).**)

(In Senate, June 9, 2011, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE.**)

(In House, June 10, 2011, that Body **INSISTED.**)

Senator **FARNHAM** of Penobscot moved the Senate **RECEDE** and **CONCUR.**

On motion by Senator **PATRICK** of Oxford, 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 Androscoggin, Senator Craven.

Senator **CRAVEN:** Thank you Mr. President. Men and women of the Senate, I stand in support of this initiative, this measure. I think that fair is fair. Last week when people voted for Biddeford and they left Lewiston out, I must admit that I ended up with casino envy, as you might call it. I believe in equal treatment for everybody in this arena. Even though I struggled with those votes in the beginning because I'm not a gambling person, I think that Lewiston, as well as Washington County and Biddeford, did their due diligence to set up the foundation for the gaming facilities that they want to develop. I am standing in support of my constituents who had voted 2-1 in favor of a casino in Lewiston. I hope that you will follow my light in support of this motion. What's good for one area of the state is good for another area of the state. I thank you for your support.

**THE PRESIDENT:** The Chair recognizes the Senator from Androscoggin, Senator Snowe-Mello.

Senator **SNOWE-MELLO:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise once again in support of this measure. I'm asking that the Senators show fairness in allowing Lewiston to have a chance at a casino. I say let the free market work. Let Lewiston go through the process of seeing whether it is feasible. Remember, if the investors feel it is too great a risk it simply won't happen. In light of the various proposals that are advancing in our other communities, I believe it's only fair to give Lewiston their opportunity. I'm asking you to join the Senator from Androscoggin, Senator Craven, and I in supporting L.D. 985. Thank you.

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

Senator **HASTINGS:** Thank you Mr. President. Ladies and gentlemen of the Senate, I'll try to be brief. This is not the same situation that we dealt with the other night. It's being characterized as being similar to the other casino that we dealt with a little further down, but it isn't. Some points. The other night we heard how the other casino was going to help save the harness racing industry. I don't think that's even on the table

here. This is a straight casino. We heard how the other casino had a well-known, well respected, well financed developer. This project has nothing behind it but 50,000 or 60,000 signatures. There is no developer that I'm aware of that has stepped forward. This project is 17 miles away from the Oxford location. Those Maine people in Oxford have now invested \$7 million dollars in that process. Do we think that two of these facilities will survive within 17 miles of each other? I seriously doubt that. What do we tell those people in Oxford that have spent \$7 million to create hundreds of new jobs in Oxford County? What do we tell them? We're going to give them a chance. This should be given to the people to allow them to decide if they want to try to put one more facility within 17 miles of the one that's already been approved. Ladies and gentlemen, at least one of them is doomed. There is not the capacity. Do any of us think there is the capacity for two casinos within 17 miles of each other in that area of Maine? Let the people decide this. This is not the same situation whatsoever. I urge that you oppose the pending motion. Thank you very much.

**THE PRESIDENT:** The Chair recognizes the Senator from Androscoggin, Senator Craven.

Senator **CRAVEN:** Thank you Mr. President. Men and women of the Senate, now that we're a casino state we're going to be a casino destination, just like Las Vegas. The more casinos, the more people are going to show up to play in our casinos. The free market will either have them float or have them sink. I think that here we go, yet again. Everybody deserves something except Lewiston. We used to have a representative here in the Legislature that was always upset at how Lewiston never gets its share. He used to say to me, "Watch the news sometime and you're going to see the weather forecast man say Bangor and then Portland. We never get any updates on our weather at all because most people think we don't even exist." That's what it makes me feel like when people talk about a casino in Oxford and a casino in Biddeford and a casino or racino in Bangor. I think the free market is the place that this is going to take place. If the free market decides that Lewiston can't afford or can't support or maintain a casino then that's who should decide it. I think that when we talk about business and we talk about making decisions about whether the measure should go out to the voters or whether the measure should be voted out of the Legislature, then we should be consistent about it. It should be either sending it out to the voters or voting it and be consistent about the votes out of the Legislature. I would appreciate your support of this measure. Thank you.

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

Senator **PATRICK:** Thank you Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, I actually have about a 37 minute speech, but I'm going to boil it down to just a couple of minutes. We talk about fairness and consistency. The consistency is out the window because for years they have voted against casinos and racinos and are now voting for them. The fairness, well, how did we get here? I will ask you; who remembers the original referendum? The original referendum was put in by a guy from Las Vegas and, as far as I'm concerned, was basically a little bit on the underhanded side. I think I called him a crook last time. What did he do? He had enough money to

get the signatures and get it on the ballot at the same time that a tribal nation was going to have a casino. People hate casinos versus racinos. Casinos said nothing about helping horses but the racinos were going to help horses. That's kind of why I voted for it. Basically, the good Senator from Oxford talked about is the plan viable and is the backer financially sound, who would run the casino and a myriad of other questions. I asked the same things. That's actually what Sean Scott came here to do. What did Sean Scott do? Is he the owner of Hollywood Slots? What did he do with his idea? He sold that idea and ended up, I think, going to court when things had all settled. His idea netted him \$75 million. I ask you, with what we have in store at Lewiston, is anything ready otherwise in the ability of some people behind the scenes able to sell their idea to a Las Vegas developer for probably \$5 million or \$10 million and become rich. I think this is probably the idea. One little story I told you last week. Basically, Friday I told you I was headed to Hollywood Slots. Guess what? I did. I took my wife and met my son, daughter, and son-in-law. When we went there I asked my son-in-law, who is 26 years old and a pretty bright kid, a businessman, "Justin, I'd like to have you do one thing for me. I'd like to have you size up the customers at Hollywood Slots and I want you to let me know when you get done are they affluent, are they middle income people, are they lower middle income people, or do you actually think they look like a lot of poor people." We had fun. Some lost. Some broke even. I actually honestly can say I made \$51. For the family, we ended up losing, but I knew we would anyways. At the end, when we were heading out, my wife had to stop for a health break. I asked him, I said, "Justin, you walked around like I did. You sized up everyone there. Who was the clientele at this place?" He looked at me, unequivocally, and said, "Mr. Patrick," he doesn't call me Dad yet, "I actually probably think you are the richest person here." He said, "I think most of these people are lower income people and some of them probably even poor." That's the idea about the proliferation of gambling. I like gaming because I can afford it. I only go once in a great while. Hollywood Slots three or four times a year. I might be able to justify that I might even go a little bit more because I have my little card and it is all electronics. We only spent \$30 apiece, which is plenty for me because I have a decent income and have done well in life, but so many of those folks there cannot afford that. Like I said before, July, August, and September we'll get those out-of-staters in there and let's bilk them as much as we can. In Calais, let's get some of those Canadians down and get their money. The other 9 months of the year where is the \$3.5 billion coming out of? It's coming out of people's ability to buy drugs, to buy oil, or to pay their mortgages. There have been plenty of studies done about what this actually does. Ladies and gentlemen, throw caution to the wind. Let 'er rip. Vote Recede and Concur and get as many casinos in as you can because, hopefully, from this point on I think every year there's going to be more and more casinos. We're going to be like that one state that has 17 of them. The good thing about them is that they all aren't going to be huge. They are going to be small Mom and Pop ones with maybe 100 or 150 slot machines. Hopefully, one in Aroostook County area. We're going to have them all over the state and the economic development dollars that go with a casino are none. Once they dry up, once you build the beautiful building, there are no economic development dollars there. Let's have fun. Let's get as many casinos as we can. Let's show our inconsistency and let 'er rip. Thank you, ladies and gentlemen.

**THE PRESIDENT:** The Chair recognizes the Senator from Androscoggin, Senator Mason.

Senator **MASON:** Thank you Mr. President. Men and women of the Senate, I would first like to apologize, Mr. President, for standing up because I know that we've beaten these points home quite a bit, but I feel like I need to stand up and say something. I completely, 100%, agree with the Senator from Androscoggin, Senator Craven. She is 100% correct when she says that the free market will decide what's going to happen with the casinos in Maine. The process that we are using to establish gaming in Maine is broken. Folks, this is sausage making at its finest. We have a policy committee that deals with gaming. L.D. 1203 and L.D. 985, from what I understand, were unable to be amended. The choices were to accept it as it is or send it out for a vote. On this matter the Legislature has decided otherwise on L.D. 1203. I'll share a little story. When I was working for a hockey team, not to be mentioned, it always made me so angry when another hockey team from Portland would get a sponsor that we didn't get. I would use that same line, so I feel you. I say that to say that we need to put Lewiston on the same footing going forward that we have put Biddeford and Washington County. It's only fair. The question that we need to be asking right now on these bills is not whether Maine is a gaming state or not. We are. We have a casino in Bangor. We have one on the way in Oxford. We have potentially three more by the time we get out of here tonight. We are creating a disaster, a patchwork of laws for casinos. We should allow our VLA committee and the good chairman from Penobscot to do what they have been entrusted to do. We need to create a uniform set of rulemaking for establishing a casino in Maine. We need to get this under control before it gets any further away from us. Mr. President, I would urge the members of this Body to go along with the Recede and Concur motion because we need to make sure that the Legislature is fair on both of these bills and allow the Chief Executive to make the decision that he will. Thank you, Mr. President.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Penobscot, Senator Farnham to Recede and Concur. 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 (#249)**

**YEAS:** Senators: CRAVEN, DIAMOND, FARNHAM, JACKSON, LANGLEY, MARTIN, MASON, SAVIELLO, SCHNEIDER, SNOWE-MELLO, SULLIVAN, TRAHAN, THE PRESIDENT - KEVIN L. RAYE

**NAYS:** Senators: ALFOND, BARTLETT, BRANNIGAN, COLLINS, COURTNEY, GERZOFISKY, HASTINGS, HILL, HOBBS, KATZ, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SHERMAN, THIBODEAU, THOMAS, WHITTEMORE, WOODBURY

**EXCUSED:** Senators: DILL, GOODALL

13 Senators having voted in the affirmative and 20 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **FARNHAM** of Penobscot to **RECEDE** and **CONCUR**, **FAILED**.

The Senate **INSISTED**.

The Chair laid before the Senate the following Tabled and Later (6/13/11) Assigned matter:

HOUSE REPORTS - from the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Allow School Administrative Units To Seek Less Expensive Health Insurance Alternatives"

H.P. 972 L.D. 1326

Majority - Ought to Pass as Amended by Committee Amendment "A" (H-429) (7 members)

Minority - Ought to Pass as Amended by Committee Amendment "B" (H-430) (6 members)

Tabled - June 13, 2011, by Senator **COURTNEY** of York

Pending - motion by Senator **WHITTEMORE** of Somerset to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-429)** Report, in concurrence (Roll Call Ordered)

(In House, June 8, 2011, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-429)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-429)**.)

(In Senate, June 9, 2011, Reports **READ**.)

**THE PRESIDENT:** The Chair recognizes the Senator from Lincoln, Senator Trahan.

Senator **TRAHAN:** Thank you Mr. President. Ladies and gentlemen of the Senate, I was the last to speak on this bill and I am glad that the Senate President chose me first because I'd like to be the first. For those that don't remember, I had hoped that we could do something a little different than to vote on this today. I had some discussions and I had no support to do what I wanted. Today, I need to vote on this bill. For me, it's been one of the more troubling bills of the session on how I was going to vote and I'd like to just put on the record why I'm going to vote this way. I hope that people here appreciate it. For those that know me, you know that I fought for 10 years to establish our Government Oversight Agency, OPEGA. I'm very proud of that. I have a reputation for being a person who wants transparency in government. I know that transparency and accountability is a big piece of this bill. For me, voting against this bill would be against what is ingrained in me and what I've done over the last 10 years. On the other side of this, I have a decade long relationship with the teachers' union and teachers as a whole. The last 24 hours have been very, very unpleasant for me, thinking about having to