

MAINE STATE LEGISLATURE

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(In House, March 20, 2014, that Body **INSISTED**.)

Senator **TUTTLE** of York moved the Senate **INSIST** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

On motion by Senator **JACKSON** of Aroostook, 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 (#501)

YEAS: Senators: **BOYLE, CAIN, CRAVEN, DUTREMBLE, GERZOFOSKY, JACKSON, SAVIELLO, TUTTLE, VALENTINO**

NAYS: Senators: **BURNS, CLEVELAND, COLLINS, CUSHING, FLOOD, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LACHOWICZ, LANGLEY, MASON, MAZUREK, MILLETT, PATRICK, PLUMMER, SHERMAN, THIBODEAU, THOMAS, VITELLI, WHITTEMORE, WOODBURY, YOUNGBLOOD, THE PRESIDENT - JUSTIN L. ALFOND**

9 Senators having voted in the affirmative and 26 Senators having voted in the negative, the motion by Senator **TUTTLE** of York to **INSIST** and **ASKED FOR A COMMITTEE OF CONFERENCE, FAILED**.

On motion by Senator **JACKSON** of Aroostook, the Senate **ADHERED**.

The Chair laid before the Senate the following Tabled and Later Assigned (3/21/14) matter:

Bill "An Act To Allow Maine's Harness Racing Industry To Compete with Casino Gaming"

H.P. 780 L.D. 1111

Tabled - March 21, 2014, by Senator **JACKSON** of Aroostook

Pending - **FURTHER CONSIDERATION**

(In House, March 12, 2014, 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-628) AS AMENDED BY HOUSE AMENDMENT "B" (H-671)** thereto.)

(In Senate, March 19, 2014, Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.)

(In House, March 20, 2014, that Body **INSISTED**.)

Senator **TUTTLE** of York moved the Senate **RECEDE**.

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

The Senator from Kennebec, Senator **KATZ**, requested and received leave of the Senate to be excused from voting pursuant to Senate Rule 401.3.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Tuttle.

Senator **TUTTLE:** Thank you Mr. President. Members of the Senate, I would ask that you would allow us to go through the next motion and vote for the Recede so that we might vote up or down on recommitting back to the committee. I think it's a courtesy that should be extended to fellow members of the Senate and is something that is a long standing tradition and I hope that you would give me that courtesy to at least get it in the posture where I might debate recommitting to the committee. I would ask unanimous consent to allow that to happen.

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 will be voting against the Recede motion. Being a member of the Commission for Competitive Bidding process, being a member of the Legal and Veterans Affairs Committee, I believe we have had plenty of time to work this bill over the last two years and I think the Body has spoken once already on the issue. I think it is time to finish our job. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Valentino.

Senator **VALENTINO:** Thank you Mr. President. Men and women of the Senate, I will be supporting the motion to Recede. One of the reasons was, actually is, that last week, after the floor debate that we had, I've never felt more energized and excited in the last ten years. I really felt that the Legislature was going to get behind a comprehensive plan. I worked all weekend. I came up with what I thought was a great proposal. I even got up at 3 o'clock in the morning on Sunday because there were so many things swimming through my mind to go through. I have a plan. I have charts, spreadsheets, colored maps, narratives, specific bullets, but I didn't see anything come of it yesterday. I'm not sure where that is going to happen. I spent a lot of time on it and I'm not sure what it's going to do. Today I have to really try to get the Recede on this bill. Why? Because this is the best bill before us. They listened. They listened to everything that the people had to say on the referendums, that the committee had to say, that I've been talking about. We have a minimum bid for a license now of \$5 million. They are offering us ten times that amount, \$50 million. They are offering us the \$250,000 privilege fee. They are offering us the hotel rooms with the spa, the conference

center, and pools under the condition that they don't get a license fee until it's built, unlike another casino that's got a license fee on the cheap and never built anything. People can come up with a lot of fancy plans, but they didn't have to build them. I guess what I'm saying is that if you want to vote for anything today, as far as the casino, this is the plan. This is the business plan. This is the plan that helps everybody in the state of Maine with a \$50 million fee, a condition that nothing will be given to them as far as the license until all of the real property is built on it. What I'm saying is that if anybody is thinking we need a casino in the state of Maine, if you're a business person this is the business plan. This is what's good for everybody. Don't give a license away for cheap like we did before. I'd like to have a comprehensive plan. It's not before us, so I'm voting for this. Where other people are coming before you and asking for a discount of 95% off, or 99.5% off, these people are offering you ten times what we have in statute. It's a good plan to create money for the state of Maine, to create jobs for the state of Maine, and if you're voting for anything this is the one to vote for, for everybody to share equally. Thank you.

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

Senator **MASON:** Thank you Mr. President. Men and women of the Senate, I rise in opposition to the pending motion and I'll be voting with the Senator from Oxford, Senator Patrick. First of all, I'd like to say thank you to the Senator from York, Senator Valentino, for her efforts on moving a comprehensive plan along for the state of Maine and our gaming industry. However, I firmly believe that we need to have a study to tell us what our comprehensive plan should be before we adopt one. In Maine we have, pardon the pun, the cart way before the horse. I think that we need to study the industry, study what gaming in Maine is going to look like over the next ten years. I believe there is a way for us to do that. The bill in front of us does not do that. I think the Veterans and Legal Affairs Committee can address all of the gaming issues in the authority that we have to report out a bill through the Gaming Commission that met over the fall. Mr. President, I would urge you and the other members of the Senate to vote against the pending motion. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from York, Senator Tuttle to Recede. 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 (#502)

YEAS: Senators: BOYLE, CRAVEN, DUTREMBLE, FLOOD, GERZOFISKY, HASKELL, JACKSON, PLUMMER, SAVIELLO, TUTTLE, VALENTINO

NAYS: Senators: BURNS, CAIN, CLEVELAND, COLLINS, CUSHING, GRATWICK, HAMPER, HILL, JOHNSON, LACHOWICZ, LANGLEY, MASON, MAZUREK, MILLETT, PATRICK, SHERMAN, THIBODEAU, THOMAS, VITELLI, WHITTEMORE, WOODBURY, YOUNGBLOOD, THE PRESIDENT - JUSTIN L. ALFOND

EXCUSED: Senator: KATZ

11 Senators having voted in the affirmative and 23 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **TUTTLE** of York to **RECEDE, FAILED.**

On motion by Senator **JACKSON** of Aroostook, the Senate **INSISTED.**

The Chair laid before the Senate the following Tabled and Later Assigned (3/21/14) matter:

Bill "An Act To Authorize the Houlton Band of Maliseet Indians To Operate a Casino in Aroostook County"
H.P. 925 L.D. 1298

Tabled - March 21, 2014, by Senator **JACKSON** of Aroostook

Pending - **FURTHER CONSIDERATION**

(In House, March 6, 2014, 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-629).**)

(In Senate, March 19, 2014, Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE.**)

(In House, March 20, 2014, that Body **INSISTED.**)

Senator **TUTTLE** of York moved the Senate **INSIST** and **ASKED FOR A COMMITTEE OF CONFERENCE.**

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 York, Senator Tuttle.

Senator **TUTTLE:** Thank you Mr. President. Members of the Senate, I would hope and request that fair and equal consideration be given to the Northern Maine tribal casino bill, as that is currently being extended to the other tribe, the Passamaquoddy. They are nearly identical casino bills. This will very much affect the folks of Washington County. I'm just asking that you give us a chance to get together and find some solution to this issue. We were hoping that we would have a vehicle to do that, but after the last vote it doesn't appear to be going to happen. I think this will provide an important last opportunity to discuss and to amend the Maliseet gaming bill so that it may be