

MAINE STATE LEGISLATURE

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

Volume III

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Appendix
House Legislative Sentiments
Index

Pages 1563-2203

CONSERVATION AND FORESTRY and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

ENACTORS
Acts

An Act To Establish the Gambling Control Board To License and Regulate Slot Machines at Commercial Harness Racing Tracks

(H.P. 1342) (L.D. 1820)

(S. "C" S-515 to C. "A" H-868; S. "A" S-519)

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

On motion of Representative GLYNN of South Portland, was **SET ASIDE**.

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

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-868)** was **ADOPTED**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Senate Amendment "C" (S-515)** to **Committee Amendment "A" (S-868)** was **ADOPTED**.

The same Representative moved that **Senate Amendment "C" (S-515)** to **Committee Amendment "A" (S-868)** be **INDEFINITELY POSTPONED**.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Glynn.

Representative GLYNN: Mr. Speaker, Ladies and Gentlemen of the House. We have before us LD 1820, which is the gambling regulatory bill put forward by the Executive. This bill we have considered and we have worked on. However, after the committee has voted the recommendation and after the good work and debate that we have, when this bill went down to the other body a very dilatory, in my opinion, amendment was put on the bill that changes the face of the gambling regulatory act. What it does is rather than have strong regulatory control policy set by the Legislature, it defers that to be set by a committee. It is going to be negotiated, a negotiable item. From the very start when the Governor and the Executive presented this bill to the Legislature and the Legal and Veterans Affairs Committee negotiated and debated this bill, there was one item that was clear in everyone's mind, which was this was going to be a regulatory bill, a strong regulatory bill. It would be regulating the industry of having slot machines in Maine. What we have seen with the amendment from the other body is a weakening of that. It is taking away some of that regulatory teeth in an attempt to persuade Penn National to go forward with the Racino in Maine. I have to say that if I was running a convenience store and one of my clerks didn't want me to count the change, I would be questioning why they didn't want me to count the change in the cash register. Likewise, I would have to say that if a business wants to have slot machines comes to Maine and doesn't want a strong regulatory bill in place, it makes me question why exactly they don't want those strong regulations.

The motion we have before us will strip that amendment from the other body and bring us back into the strong regulatory position we were when this left this chamber last time. When the vote is taken, I request the yeas and nays.

The same Representative **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE Senate Amendment "C" (S-515)** to **Committee Amendment "A" (S-868)**.

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 Millinocket, Representative Clark.

Representative CLARK: Mr. Speaker, Ladies and Gentlemen of the House. The reason why we have the amendment before us now is because what it does is it has the board look at a monitoring system. The gaming board for slot machines is going to be established under LD 1820. They are going to look at the monitoring system. I don't know about any of you in this body, but I certainly am not an expert on monitoring systems on gaming issues or slot machines. I cannot give the appropriate and adequate details of a monitoring system that we need in the State of Maine for slot machines. That is not my expertise. I don't think it is anyone else's expertise in this body either. About Penn National and if we don't have this amendment, they are going to walk and things like this. That is totally untrue. All this amendment does is have the board, which is appointed by the Chief Executive, and confirmed by the Senate, these people have the opportunity to look at a monitoring system for the State of Maine. They have to have this done by September 30, 2004. That is in the bill now. They need to have the monitoring system and the board up and running by September 30, 2004.

We, as a committee, have looked at this long and hard. We have looked at a one-tier system, a two-tier system, a T1, T3. You can have all kinds of scenarios to this. Like I said and what I want to get straight across to everybody is that we are not experts in monitoring systems for the State of Maine for gaming. I hope that you will follow my light. Thank you Mr. Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of Senate Amendment "C" (S-515) to Committee Amendment "A" (S-868). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 456

YEA - Andrews, Austin, Berry, Clough, Collins, Cressey, Crosthwaite, Curley, Daigle, Dudley, Eder, Glynn, Kaelin, Lewin, McKenney, McNeil, Mills S, Murphy, Peavey-Haskell, Rogers, Snowe-Mello, Stone, Suslovic, Trahan, Vaughan, Wheeler, Woodbury.

NAY - Adams, Annis, Ash, Barstow, Beaudette, Bennett, Berube, Bierman, Blanchette, Bliss, Bowen, Bowles, Brannigan, Breault, Brown R, Browne W, Bruno, Bryant-Deschenes, Bull, Campbell, Canavan, Carr, Churchill E, Churchill J, Clark, Courtney, Cowger, Craven, Cummings, Davis, Dugay, Dunlap, Duplessie, Duprey B, Duprey G, Faircloth, Finch, Fischer, Fletcher, Gagne-Friel, Gerzofsky, Grose, Hatch, Heidrich, Honey, Hotham, Hutton, Jackson, Jacobsen, Jennings, Jodrey, Joy, Kane, Ketterer, Koffman, Lemoine, Lerman, Lessard, Lundeen, Maietta, Mailhot, Makas, Marley, Marraché, McCormick, McGlocklin, McGowan, McKee, McLaughlin, Millett, Mills J, Moody, Muse, Norbert, Norton, Nutting, O'Brien J, O'Brien L, O'Neil, Paradis, Patrick, Pellon, Percy, Perry A, Perry J, Pineau, Pingree, Rector, Richardson E, Richardson J, Richardson M, Rines, Rosen, Sampson, Sherman, Shields, Simpson, Smith N, Smith W, Sukeforth, Sullivan, Sykes, Tardy, Thomas, Tobin D, Tobin J, Treadwell, Twomey, Usher, Walcott, Watson, Wotton, Young, Mr. Speaker.

ABSENT - Bunker, Earle, Goodwin, Greeley, Landry, Ledwin, Moore, Piotti, Saviello, Thompson.

Yes, 27; No, 114; Absent, 10; Excused, 0.

27 having voted in the affirmative and 114 voted in the negative, with 10 being absent, and accordingly the motion to **INDEFINITELY POSTPONE Senate Amendment "C" (S-515)** to **Committee Amendment "A" (S-868)** **FAILED**.

Subsequently, **Senate Amendment "C" (S-515)** to **Committee Amendment "A" (S-868)** was **ADOPTED**.

Committee Amendment "A" (H-868) as Amended by **Senate Amendment "C" (S-515)** thereto was **ADOPTED**.

The **SPEAKER**: The Chair recognizes the Representative from South Portland, Representative Glynn.

Representative **GLYNN**: Mr. Speaker, Ladies and Gentlemen of the House. Now that the gambling regulatory authority has been weakened, I feel very strongly that I, like others, would like to go on the record opposed to a measure. I ask for a roll call.

Representative **GLYNN** of South Portland **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended**

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 Millinocket, Representative Clark.

Representative **CLARK**: Mr. Speaker, Ladies and Gentlemen of the House. I just want to reassure everybody that the gaming monitoring system has not been weakened. It is going to be looked at by the Gaming Control Board with the understanding that the Department of Public Safety and the administration, along with the Gaming Control Board will look at a monitoring system that is right for the State of Maine. What we have in the bill might also be the same monitoring system that the board might decide on. Nobody knows that. We are not experts on this. It is not diminishing the monitoring system here for LD 1820. Thank you.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Passage to be Engrossed as Amended. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 457

YEA - Adams, Annis, Ash, Austin, Barstow, Bennett, Berube, Bierman, Blanchette, Bliss, Bowen, Bowles, Brannigan, Breault, Brown R, Browne W, Bruno, Bryant-Deschenes, Bull, Campbell, Canavan, Carr, Churchill E, Churchill J, Clark, Courtney, Cowger, Craven, Cressey, Cummings, Davis, Dudley, Dugay, Dunlap, Duplessie, Duprey B, Duprey G, Faircloth, Finch, Fischer, Fletcher, Gagne-Friel, Gerzofsky, Goodwin, Grose, Hatch, Heidrich, Honey, Hotham, Hutton, Jackson, Jacobsen, Jennings, Jodrey, Joy, Kaelin, Kane, Ketterer, Koffman, Lemoine, Lerman, Lessard, Lundeen, Maietta, Mailhot, Makas, Marley, Marraché, McCormick, McGlocklin, McGowan, McKee, McKenney, McLaughlin, Millett, Mills J, Mills S, Moody, Muse, Norbert, Norton, Nutting, O'Brien J, O'Brien L, O'Neil, Paradis, Patrick, Peavey-Haskell, Pellon, Percy, Perry A, Perry J, Pineau, Pingree, Rector, Richardson E, Richardson J, Richardson M, Rines, Rogers, Sampson, Sherman, Shields, Simpson, Smith N, Smith W, Snowe-Mello, Sukeforth, Sullivan, Sykes, Tardy, Thomas, Tobin D, Tobin J, Trahan, Treadwell, Twomey, Usher, Vaughan, Walcott, Watson, Wotton, Young, Mr. Speaker.

NAY - Andrews, Beaudette, Berry, Clough, Collins, Crosthwaite, Curley, Daigle, Eder, Glynn, Lewin, McNeil, Murphy, Rosen, Stone, Suslovic, Wheeler, Woodbury.

ABSENT - Bunker, Earle, Greeley, Landry, Ledwin, Moore, Piotti, Saviello, Thompson.

Yes, 124; No, 18; Absent, 9; Excused, 0.

124 having voted in the affirmative and 18 voted in the negative, with 9 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-868) as Amended by Senate Amendment "C" (S-515)** thereto and **Senate Amendment "A" (S-519)** in concurrence.

The Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

ENACTORS

Acts

An Act To Ensure the State's Commitment to Former Students Who Were Physically or Sexually Abused at the Governor Baxter School for the Deaf or the Maine School for the Deaf

(S.P. 614) (L.D. 1682)

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

On motion of Representative **MURPHY** of Kennebunk, was **SET ASIDE**.

The **SPEAKER**: The Chair recognizes the Representative from Kennebunk, Representative Murphy.

Representative **MURPHY**: Mr. Speaker, Men and Women of the House. As I read the title of this enactor, it is always interesting titles and what they say or do not say. I am looking at the word commitment and what actually does that word mean in terms of what the Legislature and the State of Maine will do in reference to these youngsters who had been under our responsibility. More than 20 years ago as a young legislator, I had been appointed by Governor Brennan, as a legislator on the visiting committee, following the tragedies and scandals that occurred at our school with children that were under our care. To summarize, they were isolated. They were attacked. They were intimidated. As I begin to look at this bill, it appears to be a feel good bill. As I look at it on the screen, it appears to be straightforward and says \$6 million to be able to continue meeting our commitment. As I look at it a little closer, I see that everything is dependent upon the budget. When I look at the budget, there are no monies appropriated for our commitment. It makes reference in Section BBBB-4 that we will keep our commitment if there is an unappropriated surplus. It indicates that it is a second priority. I am not sure where it falls among all the other unappropriated surplus priorities.

Mr. Speaker, a question, as we look to keep our commitment to these youngsters, a commitment that is more than 20 years old, please tell me specifically within the budget and the budget language how much money is being committed to these youngsters?

The **SPEAKER**: The Representative from Kennebunk, Representative Murphy has posed a question through the Chair to anyone who may care to respond. Seeing no one, the Chair recognizes the Representative from Kennebunk, Representative Murphy.

Representative **MURPHY**: Mr. Speaker, Men and Women of the House. I have always followed a practice that imposing a question and wanting to know precisely what will my vote do or not do and when I do not receive an answer, then I would like to be able to vote. Therefore, Mr. Speaker, I request a roll call.

Representative **MURPHY** of Kennebunk **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

The **SPEAKER**: The Chair recognizes the Representative from North Haven, Representative Pingree.

Representative **PINGREE**: Mr. Speaker, Men and Women of the House. Just in answer to the good Representative's question, we did put \$3 million in the budget.