

# MAINE STATE LEGISLATURE

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

**Volume III**

**Second Special Session**

April 8, 2004 - April 30, 2004

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PATRICK of Rumford  
JACKSON of Fort Kent  
WATSON of Bath

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

Signed:

Senator:

BLAIS of Kennebec

Representatives:

TREADWELL of Carmel  
CRESSEY of Baldwin  
HEIDRICH of Oxford  
NUTTING of Oakland

Came from the Senate with the Reports **READ** and the Resolve and accompanying papers **INDEFINITELY POSTPONED**.

**READ.**

Representative SMITH of Van Buren moved that the Resolve and all accompany papers be **INDEFINITELY POSTPONED**.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Van Buren, Representative Smith.

Representative SMITH: Madam Speaker, Ladies and Gentlemen of the House. The reason for the motion to Indefinitely Postpone this Resolve and the accompanying papers is that the Majority Report, which was presented in this Resolve sought to require the Department of Labor to be involved in rulemaking with regard to consumer directed personal care assistant services. In the budget, which is before us, under the filing number of (H-904) the language which we had sought to have included by this particular report is now in the budget. For that reason, this report is no longer necessary. We have moved Indefinite Postponement.

Subsequently, the Resolve and all accompanying papers were **INDEFINITELY POSTPONED** in concurrence.

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Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Provide Property Tax Relief for Maine Residents and Businesses and Implement Comprehensive Tax Reform"

(H.P. 844) (L.D. 1141)

Signed:

Senators:

STANLEY of Penobscot  
STRIMLING of Cumberland  
NASS of York

Representatives:

LEMOINE of Old Orchard Beach  
LERMAN of Augusta  
COURTNEY of Sanford  
CLOUGH of Scarborough  
PERRY of Bangor  
SIMPSON of Auburn  
McCORMICK of West Gardiner  
TARDY of Newport  
SUSLOVIC of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-901) on same Bill.

Signed:

Representative:

McGOWAN of Pittsfield

**READ.**

Representative LEMOINE of Old Orchard Beach moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

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## CONSENT CALENDAR

### First Day

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

(S.P. 775) (L.D. 1942) Resolve, Authorizing Certain Land Transactions by the Department of Conservation, Bureau of Parks and Lands Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A"** (S-508)

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

There being no objection, the Senate Paper was **PASSED TO BE ENGROSSED as Amended** in concurrence. **ORDERED SENT FORTHWITH.**

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The following item was taken up out of order by unanimous consent:

### UNFINISHED BUSINESS

The following matter, 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.

HOUSE DIVIDED REPORT - Majority (11) **Ought to Pass as Amended by Committee Amendment "B"** (H-814) - Minority (2) **Ought Not to Pass** - Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Permit Video Gaming for Money Conducted by Nonprofit Organizations"

(H.P. 996) (L.D. 1354)

**TABLED** - March 30, 2004 (Till Later Today) by Representative CLARK of Millinocket.

**PENDING** - Motion of same Representative to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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

Representative GLYNN: Madam Speaker, Ladies and Gentlemen of the House. You have before you a bill that represents a major and expansive change to the gambling laws in the State of Maine which is going to open up all of our communities to slot machines. The proposal before you allows up to five slot machines to be located in all the non-profit paternal organizations in the State of Maine to have them located in your community, my community, our neighboring communities. It represents a very poor public policy decision. Gambling slot machines are illegal. These types of machines are illegal for these organizations. They cannot set these up wagering for money with cash payoffs like the Racinos. In the law that has been proposed by the committee, it is much weaker than the proposal that we considered just recently with LD 1820, which is to allow Racinos in the State of Maine.

I would like to go over some of those differences. The first difference is that under this amendment, and I urge people to dig it out and really take a hard look at the amendment that you are considering adopting. This is House Amendment 814. The payout on the slot machines is going to be 80 percent. Under the agreement that the same committee, the Legal and Veterans Affairs Committee recommended to you on LD 1820, they said it was unfair for a payout on the slot machine to be any less than

89 percent. That means that people who gamble on these slot machines are going to lose nearly 10 percent more money than Mainers who gamble on slot machines at the Racino.

Additionally, this Committee Amendment has gutted funding to aid compulsive gamblers. This bill amendment has changed since it was last before you. They have lowered the percentage for compulsive gambling to 1 percent. This compared to the higher percent in the original draft of the bill, this compared to 3 percent in LD 1820, the Racinos. I ask you, ladies and gentlemen, do you really believe that if we put slot machines in the non-profits in all of our communities that we are not going to have a problem with compulsive gamblers? Do you believe that we have a responsibility to make sure that those operators of these slot machines have a responsibility to, in fact, pay for the travesty caused by addictions to gambling? I say that we do have an obligation to require those funds.

Also contained within the language of this bill you should also be aware that you are only able to have these slot machines at a facility if you have a liquor license. The non-profit can have a liquor license and that is a decision that they need to make. They cannot have slot machines unless they also serve alcohol. Contained within this committee draft amendment if they lose their liquor license or they don't have a liquor license, they will be prohibited from having slot machines. We are saying with this legislation that gambling and booze go together. If you don't allow for the hard alcohol and you don't allow for alcohol in your non-profit, then you can't have slot machines. Thereby if you want slot machines, you must serve alcohol.

Again, I refer you to the committee draft to read the particulars of this. This is a bad bill for the State of Maine. The Committee on Legal and Veterans Affairs has been less than consistent. Does it make sense that for some slot machines the payout is 89 percent, but in these facilities it is going to 80 percent? Does it make it fair and is it correct that compulsive gambling funding is cut to 1 percent whereas with the other facility it will be 3 percent. I don't think that is correct. Additionally, you also need to know that this is enabling legislation that is going to an unfunded mandate to your communities. Did you know that if this law passes your community will have slot machines in them unless your community acts to prohibit it through costly and expensive regulations that they will all have to draft and implement at the local level. This is what this bill offers.

It offers slot machines and gambling in your community. It offers an unfunded mandate. It offers casino slot machines that don't pay out the same as that at the Racino. It offers a bad deal for the State of Maine. I hope that you vote against this amendment and you move on to the Minority Ought Not to Pass Report. Madam Speaker, when the vote is taken, I request the yeas and nays.

Representative GLYNN of South Portland **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 PRO TEM: The Chair recognizes the Representative from Millinocket, Representative Clark.

Representative CLARK: Madam Speaker, Men and Women of the House. The Representative from South Portland could not be further from the truth. This is not slot machines, ladies and gentlemen. These are video lottery terminals, which most of these organizations have right now. They are called gray machines, ladies and gentlemen. When you go to the American Legion in Millinocket or the Elks Lodge or any other non-profit

organization, which is a 5013C and they have a bar downstairs, they have a gray machine.

What this bill does is it has the potential of bringing revenue to those non-profit entities to provide more scholarship money and to provide more money to municipalities that they are located in. They can have up to five machines, which the state buys and they lease from the state. They have to abide by the liquor laws of the State of Maine. If you would like a VLT machine in your community or your non-profit organization, which is a 5013C, you will have to go to your town and apply just like you do with the liquor license. If the town refuses you, it goes to the state. The state, yes, can override that, but you have to have municipal approval by the town fathers in order to have a VLT license. The money at the end of the year is all gathered in by those machines.

I am just going to use Millinocket because that is where I am from for an example. Millinocket has three non-profit organizations that would qualify under this legislation. That is 15 VLTs if they choose to and be approved by the town council of Millinocket. They will be able to have 15 machines. At the end of the year the profit from those 15 machines will be dispersed through those non-profit organizations in scholarships and in community service with a percentage of that taken out. The other percentage of that taken out will be used for revenue sharing back to that community.

The good Representative from South Portland says that this is a mandate that it is going to hold the hands of the municipality. The municipality has the right to vote for or not to vote for them by the town fathers just like they do with any other restaurant, any other bar or grill that wants a liquor license. They have the same exact thing as what they do now. The VLTs are totally different than the slot machines. A VLT is a video lottery terminal. I imagine you have seen them. It is a little box is probably 15 x 15. It looks like a television screen. You go and touch a game like poker or something like that. A slot machine is either a handle or three pegs in front of you that you press. It is a totally different machine. We have gamblers addiction now. We have the lottery system where not one penny of that lottery revenue goes for gaming addiction. It is all right to play that without a gaming addiction. Those are sold at the supermarket and these little machines that look like arcades. They go and put a dollar in and press a button and get a lottery ticket. The non-profit organization has to have a 5013C organization. You have a non-profit that wants to have these machines in them. They have to have a liquor license because nine times out of ten it is in the basement of that non-profit.

You cannot have these machines and pick up and move like a carnival like with the quarter slots. You have to be an established non-profit in that community in order to have these machines.

Yes, this bill was debated. It was voted on by this body and the other body last year. It was voted overwhelmingly to support it on both sides. We brought it back and tried to do some fine-tuning like any other committee does within their committee of jurisdiction. After committee deliberation we came up with an 11 to 2 committee report. There were 11 ought to pass and 2 ought not to pass.

Every machine in that facility, a non-profit, will have a \$500 annual fee paid to the state. You have five, five times five is \$2,500. That fee goes to the state for administrative costs. Yes, the payback is less than a slot machine. You don't have 1,500 slot machines. The lottery system has a payback of 58 to 62 percent. In the lottery you have over a million people playing that a year. This is only 8 percent because not that many people play it. Right now they sit on the corner of a bar in a non-profit

organization where they cannot take any revenue from that and use it for scholarships or use it community services. All this bill does is to have them make it legal now so that they can have some money left over out of their budget to use for scholarships or community service. A town benefits from this also because they also get a percentage of the revenue sharing based on the number of machines in that municipality. Madam Speaker, I would like the Clerk to read the committee report please.

Representative CLARK of Millinocket **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

Representative DAIGLE of Arundel inquired if a Quorum was present.

The Chair declared a Quorum present.

Representative DAIGLE of Arundel **APPEALED** the **RULING OF THE CHAIR**.

Representative DUNLAP of Old Town moved to **TABLE** the **APPEAL**.

The Chair ordered a division on the motion to **TABLE** the **APPEAL**.

A vote of the House was taken. 56 voted in favor of the same and 35 against, and accordingly the **APPEAL** was **TABLED** and later today assigned.

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

Representative **GLYNN**: Madam Speaker, Ladies and Gentlemen of the House. As we heard from the good chair of Legal and Veterans Affairs Committee, if your community rejects one of these so-called non-profits that are dealing in gambling, a license to have a slot machine that spits out money or a video gaming machine that spits out money, however you want to refer to it, then that is not the final decision. This bill takes away local control and local authority. All that the applicant needs to do is overrule your town council by going to the state under the provisions of this act. I don't know if that is something that you want to set up for your community, but I can tell you that is not something I would like to set up for my community. I think my town council is very able to make a decision as to whether or not they want video gambling machines in their community.

I would also like to point out that this bill was testified against by the State Police. It was also testified against by Michael Cantara, the Commissioner of Public Safety. Madam Speaker, I would like to pose a question through the chair. My question is to anyone that is on the Majority Report. I noticed that as was pointed out in the testimony on the floor that there is a large difference between the Racino legislation, LD 1820, voted out by the Legal and Veterans Affairs Committee and this one voted out by the Legal and Veterans Affairs Committee. I was wondering if they could explain to me why the payout for these video gambling machines should be at 80 percent whereas in the Racino it is at 89 percent and why compulsive gambling funding is set at 1 percent in this bill and a more realistic figure of 3 percent in the Racino legislation?

The **SPEAKER PRO TEM**: The Representative from South Portland, Representative Glynn has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Millinocket, Representative Clark.

Representative **CLARK**: Madam Speaker, Ladies and Gentlemen of the House. The good Representative from South Portland, like I said in my previous testimony, the reason for 80 percent is that these machines do not have the same numbers as the Racino machines. There are going to be up to 1,500 slot machines at the Racino place in Bangor, Bangor Historical Track. These are only going to be five in a non-profit organization. Another reason too are these VLTs, they do not spit out money.

It goes through a monitoring system where the state looks at it, takes the revenues and disperses it that way. There is no money spitting out. It is not like a slot machine where you see coins or credits flash up on the screen or anything else. It is centrally located.

Yes, the good commissioner of Public Safety, Commissioner Cantara spoke in opposition, just like with any other gambling bill that they had. They even spoke against the Powerball that we have in the budget. They even came and spoke against that, ladies and gentlemen. Michael Cantara wears two hats. The Department of Public Safety came and testified in opposition. It was the same exact group. The Department of Public Safety was the only group that came and testified against it. Like I said, they were against gambling. We had this public hearing last year. They came and talked about Racino. They came and talked about the Powerball. They came and talked about the VLTs. They came and they had one message and one message only. It was to oppose any sort of gaming in the State of Maine. If we had another bill to do with lottery tickets, they would probably have come and testified against that as well. That is a whole different body. That is the second floor.

The non-profit organizations out there help your communities. Like the good Representative from South Portland said, he wants to set a precedence. If the local communities deny this, they can appeal and go to the state. They do it already, ladies and gentlemen, with the liquor licenses. They do it already. If you don't want a liquor license in that bar down the street from you, you go and the town council denies it, then you go and protest to it and it goes to the state and the state can approve it. The state can also deny it. We go by the same guidelines of the liquor license.

Gambling addiction, we don't know what the money from the Racino part of it is. If you look at the citizen's initiative, 1371 for Racino, there is nothing to do with gaming addiction in that bill. LD 1820 which we are going to be dealing with in the future has money in there for gaming addiction. We don't know what that precise number is yet. Like I said earlier, the Lottery Commission doesn't have gamblers addiction funds for their gaming. You don't have gambling addiction funds out there. I see a lot more kids, 17 to 20 years old going to an arcade spending quarter after quarter after quarter in arcades. That is an addiction. There is no fund out there for those kids. They are taking your money, my money, their parent's money and putting it in an arcade. Are they having anything in return? No. This bill was put forth for the people of the non-profits.

I had a question asked of me, why do non-profits have bars in them? I will just name some examples, the American Legion, the VFW, the veteran's organizations, the Elks Club. The 5013Cs are these non-profit organizations. If any of you go home to your high schools during graduation, you will see that they give outstanding scholarships. With this bill in place, they can add even more to that, ladies and gentlemen. They can send more kids to college. They can also put more community services in the community that they have. I urge you to support the Majority Ought to Pass as Amended Report. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from York, Representative Andrews.

Representative **ANDREWS**: Madam Speaker, Ladies and Gentlemen of the House. Just a point of reinforcement or a point of information, I served on the board of selectmen in my town for seven years. You need to be aware that usually the town quite often has no control over a liquor license unless you have specific zoning against it or you can prove that they have not abided by the noise ordinance and this sort of thing in the town. If this is going to follow whether you are for or against the video

machines, if your town is apt to want to be against it, they may not have that choice unless they already have zoning or some mechanism in place. Generally a liquor license is just a pass through when it comes up before the local council. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from South Portland, Representative Bliss.

Representative **BLISS**: Madam Speaker, May I pose a question through the Chair?

The **SPEAKER PRO TEM**: The Representative may pose his question.

Representative **BLISS**: Madam Speaker, Ladies and Gentlemen of the House. I have a three-part question that I am hoping someone who voted in the majority can answer for me. I am wondering if there are any age restrictions on the use of these machines that look, smell, talk and act like slot machines, but are called something different? The second question is whether there are any restrictions about where these can be placed and whether they can be in plain view of people walking by the building owned by or leased by the non-profit? The third question is whether or not the profit generated from these is required to go towards scholarship funds? Thank you Madam Speaker.

The **SPEAKER PRO TEM**: The Representative from South Portland, Representative Bliss has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Millinocket, Representative Clark.

Representative **CLARK**: Madam Speaker, Ladies and Gentlemen of the House. To the good Representative from South Portland, Representative Bliss, the machines are placed where the members of that organization, 21 years old or older and accompanied by that member to get into that establishment. That is right in the Committee Amendment. It also says that the proceeds have to go through the organizations scholarship fund and also through the community service and it is also dispersed through revenue sharing by the State of Maine.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Medway, Representative Duprey.

Representative **DUPREY**: Madam Speaker, Ladies and Gentlemen of the House. I do have to agree to some extent with what the good Representative from Millinocket has said. I have seen, myself, in numerous amounts of scholarships year after year presented to high schools in East Millinocket and Millinocket and what monies those provide. As I look through this amendment, I have a couple of concerns about it. I would like to pose a question through the chair. First off, there was some reference made to, I believe it was called gray machines. If I could get a clarification on that, please? Also, how the actual payout on these machines will be done? There was reference made to a central agency of sorts. The substance abuse portion of this, it looks like there is going to be a position created to oversee that. If I could get some clarification on those points please?

The **SPEAKER PRO TEM**: The Representative from Medway, Representative Duprey has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Millinocket, Representative Clark.

Representative **CLARK**: Madam Speaker, Ladies and Gentlemen of the House. To answer the Representative from Medway, Representative Duprey's questions, gray machines are right now on the edge of bars and also non-profit organizations where you go in and you touch a screen and you can play basketball, baseball, poker and solitaire. It is already there now. You put in a dollar and you get credits. You play the machine and you don't get anything back. That money is used for the

purpose of those machines. They are legal in the state now. There has been machines, I can't remember the name of the establishments, but they did a back-door gaming with them where they use them to set them up and they have payouts on them just like a regular slot machine. They can be used like that, but that is illegal in the State of Maine. The gray machines already now are legal.

The mechanism for the payback is going to be at least 80 percent. It is \$5 maximum per bet. The machine may not accept more than \$20 at a time. The maximum prize is \$1,250. The player must be a member of the organization/guest, 21 years of age or older. Playing is only allowed during the hours when the organization is permitted to serve liquor. The licensee or operator may impose a time money limit not required in this bill. The allocation of the funds is that the percentage of the video gaming fund be created in this bill after expenses of administration, treasury deposit, state shares of the fund for local education, every June 30th beginning in 2005. They will be distributed to municipalities in proportion with the product or municipality's population multiplied by the property tax burden, which is revenue sharing. Two percent, which is reduced to 1 percent for compulsive gambling, DHS will administer the fund. Ninety percent of the licensed organization pays for the contract, distributor and funds, charitable activities of the organization.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Wells, Representative Collins.

Representative **COLLINS**: Madam Speaker, Ladies and Gentlemen of the House. I know it is hard for some of you to believe, but I am a man in my mid-50s. I look much younger, but I realize that. I just wanted to bring to the body's attention that in my years I consider that I have been around a little bit. I have been to some of these non-profit organizations and partaken of the spirits. I have witnessed people playing the machines that are in these establishments now. I am further going to enlighten you to tell you that they, in fact, do pay off. A lot of the non-profit organizations in my county, York County, have been apprehended, taken to court and fined for paying off on these machines. They got caught. That by itself it not too bad, the money goes back into the community and how their raise it, I guess isn't too objectionable. We all gamble to a certain degree. I do. I gambled on the stock market the last couple of years and lost. Going into these non-profit organizations, I have witnessed people playing these video poker machines. They are highly addictive. I have witnessed it. I have talked to people who work in these establishments. They say the same person comes in every week. We cashed a check for them and they blow half or all of their check right there. That is too bad. Sometimes this particular person's husband or wife will call and protest and say, don't let them play this machine anymore. They spend all their money that they have earned for the whole week playing these machines. The non-profit organization will say that we will take some money down and buy them some groceries or whatever and everything will be all right for a while. That person will stay away for a while. He has been barred or she has been barred from coming in because of the problem they create with their compulsive behavior in playing these video poker machines. These video poker machines, games of chance in these non-profit organizations pay off. The ones that I have been into, they pay off a quarter, 25 cents, two bits, per point. They won't pay you off that day. It looks too conspicuous. They will call a bartender over and tally up the points. They will pay 25 cents a point. The next day that person will come back into the non-profit organization. There will be an envelope waiting for them behind the bar with their membership number on the outside of it. No name, but their membership number.

To say these non-profit organizations don't pay off now, it is a fabrication in somebody's mind. These non-profit organizations are in the gambling business now. This legislation will enhance them even more. It will create a situation where there will be more people gambling because now it is going to be legal if this passes and is signed into law by the Chief Executive on the second floor. I can't speak for the Chief Executive, but based upon his past performances, his past opinions against gambling, I would assume that he probably won't sign this. That is just an assumption on my part.

I would hate to think that we would go ahead and make these video poker machines, video slot machines, whatever you want to call them, legal. They will be showing up in your town. They will be showing up in your town because of the fact that these organizations are pretty well connected to municipal government. A lot of these people that run these non-profit organizations are nice people. They are volunteers within their organization. They are well connected. They will probably get the permission to go ahead and put these machines in the non-profit organization. You are going to have these in your towns. I don't want them in my town. I know what they do. They are bad for society and they are highly addictive. Thank you Madam Speaker for your time.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Topsham, Representative Lessard.

Representative LESSARD: Madam Speaker, Ladies and Gentlemen of the House. Just a point of information, for those that have never worked in a municipality in regards to liquor licenses, when an application does come in from a non-profit, an American Legion or whatever, a department head will submit memos and inspect the premises, especially the police department to make sure it is safe and secure and then the board of selectmen or your council will act on that and send it forward to the state. Regardless of how you feel about the machines themselves, at least it is going to be an environment that has been sanctioned to do that. I guess you can vote your conscience on the rest of it. I just wanted to clarify the liquor issue and why it is tied in. It is because you don't have another process to make sure the establishment is safe and secure. It is all tied in with the examination in regards to the liquor license. Thank you Madam Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from China, Representative Thompson.

Representative THOMPSON: Madam Speaker, Men and Women of the House. I will be voting in favor of this Ought to Pass amended version. If the gray machines are paying out cash now, it is illegal and among other things, their liquor license is at risk. One of the things that a non-profit will have is they will have the control that the other machines throughout the state don't have. You have to be a member or you have to be with a member. At any time, the board of that non-profit can suspend you membership. If you come in and you lose the rent check, then your chances of playing those machines in that establishment are going to be reduced. The non-profit board and membership will take, I am sure, a very responsible look at who is playing their machines. They hold the key to who actually plays them. Again, I am going to vote in favor of this.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Rumford, Representative Patrick.

Representative PATRICK: Madam Speaker, Men and Women of the House. One of my claims to fame here in the House is I admitted to having 30 years experience in the Bingo game. That happens to be true. I happen to have 31 years in the fraternal game of non-profits. I have been a member of a

non-profit for 31 years. I have seen the full gamut. I will say that the good Representative who did have one person with a compulsive gambling problem is probably a fact. I wouldn't deny that. There are many problems because in human nature people can become addicted to anything. I once found myself addicted to golf. I played every single day of the week in rainstorms because I had to go play golf before I went home. Finally I cured myself of that. Guess what? I still enjoy the game. I am not addicted, but I still love the game.

We are talking about non-profits here. I don't know how many communities have non-profits, but I would guess if you are over 3,000 or 4,000 then every one that either has an American Legion of VFW, Eagles, a Snow Shoe or Calumet. There are many different non-profits. I bet they even have them in South Portland. I can't imagine that they don't have them in South Portland. There is probably a good chance that already you have a machine now that is not paying off or maybe it may be paying off illegally. We would like to correct that and make it legal so it can pay off.

Someone asked the question, what do you do with the money? Does it all go to educational scholarships? No, it doesn't. I have seen times when monies went to people who were burned out, cancer, brain injuries, you name it. If it is a good organization, the money stays in your community. The money is dolled out in your community by local people.

I supported the Racino issue and that is a publicly traded company, Penn National. They are going to take the profit from the people of the State of Maine and take it out of the State of Maine. Non-profits in your town and in your state will keep the monies there. Is it the best deal in the world? Probably not. Can we come back and correct some of the things that need to be corrected down the road? Yes, we can just like anything. Nothing is binding on the next Legislature.

They are going to be regulated a lot more than they are right now. They have these in a lot of the non-profits right now. Some people play them a lot. Some people play them a little. I happen to be on the little category myself. There are other things that I like to do.

We passed this in both houses last year. It sat on the Governor's desk and we pulled it back. At the time we had the Casino and Racino issues on the ballot. The people did speak and they did want a Racino. When they voted they actually wanted Racinos, but the good people in Legal and Veterans Affairs took a look at the southern Maine people and said we are not going to go there. We will just let the people in Bangor have theirs.

I would like to reiterate that we are talking about your non-profits in your communities. Chances are they probably already have them now. One of the problems we had in the past was bars, clubs, other organizations that weren't 5013Cs had these machines and we made them illegal. The State Police went in and grabbed them and took the machines. They were paying out heavily and they weren't giving any money back to charity. We stopped that practice. There are those in the State of Maine that have been charged and convicted and they paid the price for paying out. I hope none of them are, but probably some of them are.

I know what is going on in our American Legions and VFWs and a lot of the other non-profits in the state. Guess what? There aren't a lot of those people left to go to those clubs. Those clubs are on the brink of bankruptcy, at least half of them. We happen to have a couple large ones in our area. I don't think ours are doing great, but probably better than others because of Rumford's past history in enjoyment of horse racing, gambling and beano and tickets and everything else. I would urge you to



once again support this bill and get it on the Governor's desk. We will sign it and help our non-profits. Thank you.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Cornville, Representative Mills.

Representative **MILLS**: Madam Speaker, Men and Women of the House. We embarked on one of these noble experiments 25 years ago as was reported recently in the *Bangor Daily* in the editorial page of April 7. It recounts an interesting history where the state flirted with this idea of letting the so-called "non-profits" go ahead and set up what was at that time approximately 700 separate miniature casino operations throughout the State of Maine. I don't know how many people in this chamber remember it. It is lost in my memory. It is very well recorded in this interesting article. The people of Maine were so disturbed at who popped up as a non-profit. To be a non-profit about all you have to be is somebody who doesn't make a profit or says he doesn't make a profit and says that some portion of the revenue that they have coming in goes to some good purpose somewhere. After that, you can do anything you want to and be a non-profit. We throw this word non-profit around as if it were some sort of God like term that whoever is non-profit is sanctified, beatified. It is equivalent to some religious phenomenon. Let me tell you that it is just a phrase that some bureaucrat in the Internal Revenue Service uses to stamp a form that is supplied. It doesn't mean much of anything. What they found 25 years ago was that non-profits were springing up under the auspices of Las Vegas operators. There was a lot of revenue flowing through these machines and it didn't stay in Maine. It went west. You know where the money went. The people of Maine were so disgusted by it. The law was repealed and all 700 of these machines were put out of business. You know what? The so-called non-profits were so upset about it that they called for a public referendum. The people at referendum defeated them two to one and sent them packing. Now 24 or 25 years later, let's just start this noble experiment all over again as if we don't remember what happened then. As if we can't even remember the overwhelming vote against the casino last November. I don't think the people of Maine want us to do this. I can't understand why an apparent majority of the House and Senate are so out of touch, so dramatically out of touch with our own constituents. Our constituents don't want this. They have voted against it time and again. I think we should learn from our constituents and defeat this bill.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Rumford, Representative Patrick.

Representative **PATRICK**: Madam Speaker, Men and Women of the House. Twenty-five years ago, I do remember that. I can even tell you what was on the machines at one of those so-called casinos. I played them a lot back then. I really enjoyed them. They had the neatest looking watermelons on the spin wheel that you have ever seen in your life. Yes, they did take them down back then. Twenty-five years ago we didn't even have computers. It took a whole room in a barn to fill in order to add up numbers. Now a days the Racinos and Casinos and that have such complex computers you couldn't jip them if you wanted to.

In the out of touch reality I guess everyone must have been confused. Racinos did pass, at least I think it did. I think that is why we are debating the bill down the road. I do think we aren't out of touch with reality. I think this is a good idea. I would move Ought to Pass.

The **SPEAKER PRO TEM**: A roll call has been ordered. The pending question before the House is acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

#### ROLL CALL NO. 447

**YEA** - Annis, Bennett, Blanchette, Bliss, Bowles, Brannigan, Brown R, Browne W, Bruno, Bunker, Canavan, Churchill E, Churchill J, Cowger, Craven, Cummings, Dugay, Dunlap, Duplessie, Earle, Finch, Fischer, Fletcher, Gagne-Friel, Gerzofsky, Goodwin, Greeley, Grose, Hatch, Hutton, Jackson, Jennings, Kaelin, Ketterer, Koffman, Landry, Ledwin, Lerman, Lessard, Maietta, Mailhot, Makas, Marley, McCormick, McGlocklin, McGowan, Moore, Muse, Norton, Nutting, O'Brien J, O'Brien L, O'Neil, Paradis, Patrick, Pellon, Perry A, Pineau, Richardson E, Richardson J, Rines, Saviello, Sherman, Smith N, Smith W, Sullivan, Tardy, Thomas, Thompson, Usher, Walcott, Young, Mr. Speaker.

**NAY** - Adams, Andrews, Ash, Austin, Barstow, Beaudette, Berry, Bierman, Bowen, Breault, Bryant-Deschenes, Bull, Campbell, Carr, Clark, Clough, Collins, Courtney, Cressey, Crosthwaite, Curley, Daigle, Davis, Dudley, Duprey B, Duprey G, Eder, Faircloth, Glynn, Heidrich, Honey, Hotham, Jacobsen, Joy, Lemoine, Lewin, Lundeen, Marraché, McKee, McKenney, McLaughlin, McNeil, Millett, Mills J, Mills S, Moody, Norbert, Peavey-Haskell, Percy, Pingree, Piotti, Rector, Richardson M, Rogers, Rosen, Sampson, Shields, Simpson, Snowe-Mello, Stone, Sukeforth, Suslovic, Sykes, Tobin D, Tobin J, Trahan, Treadwell, Twomey, Vaughan, Wheeler, Woodbury, Wotton.

**ABSENT** - Berube, Jodrey, Kane, Murphy, Perry J, Watson.  
Yes, 73; No, 72; Absent, 6; Excused, 0.

73 having voted in the affirmative and 72 voted in the negative, with 6 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "B" (H-814)** was **READ** by the Clerk.

Representative **CLARK** of Millinocket **PRESENTED House Amendment "A" (H-830) to Committee Amendment "B" (H-814)**, which was **READ** by the Clerk.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Millinocket, Representative Clark.

Representative **CLARK**: Madam Speaker, Ladies and Gentlemen of the House. What House Amendment "A" does is correct some inconsistent language that was in Committee Amendment "B." This is what our analyst picked up. All this does is corrects the Committee Amendment. Thank you.

Representative **COLLINS** of Wells **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-830) to Committee Amendment "B" (H-814).**

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

On motion of Representative **CLARK** of Millinocket, **TABLED pending ADOPTION of House Amendment "A" (H-830) to Committee Amendment "B" (H-814)** and later today assigned. (Roll Call Ordered)

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The **SPEAKER PRO TEM**: The Chair recognizes the Representative from North Haven, Representative Pingree, who wishes to address the House on the Record.

Representative **PINGREE**: Madam Speaker, Ladies and Gentlemen of the House. Had I been present for roll call 446, I would have voted yes.

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The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Eliot, Representative Lewin.

Representative **LEWIN**: Madam Speaker, Ladies and Gentlemen of the House. Had I been present for roll call 446, I would have voted no.