

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

Daily Edition

First Regular Session

beginning December 3, 2014

beginning at page H-1

Rotundo, Saucier, Sawicki, Schneck, Seavey, Sherman, Sirocki, Skolfield, Stanley, Stearns, Theriault, Timberlake, Timmons, Tipping-Spitz, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, White, Winsor, Wood.

NAY - Alley, Babbidge, Bates, Beavers, Beebe-Center, Bickford, Blume, Bryant, Burstein, Chapman, Chipman, Cooper, Daughtry, Davitt, DeChant, Devin, Duchesne, Dunphy L, Evangelos, Farnsworth, Fecteau, Gattine, Gideon, Grohman, Hamann, Hawke, Herbig, Hickman, Hobart, Hogan, Hubbell, Hymanson, Jorgensen, Kruger, Kumiega, Longstaff, Luchini, Mastraccio, McCabe, McClellan, McCreight, McLean, Monaghan, Moonen, Peterson, Picchiotti, Pierce T, Powers, Russell, Rykerson, Sanderson, Shaw, Short, Stetkis, Stuckey, Sukeforth, Tepler, Tucker, Welsh, Mr. Speaker.

ABSENT - Beck, Dion, Farrin, Malaby, Sanborn.

Yes, 86; No, 60; Absent, 5; Excused, 0.

86 having voted in the affirmative and 60 voted in the negative, with 5 being absent, and accordingly **House Amendment "A" (H-496) to Committee Amendment "A" (S-304)** was **INDEFINITELY POSTPONED**.

Subsequently, **Committee Amendment "A" (S-304)** was **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-304)** in concurrence.

Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act Regarding the Disposition of Certain Funds Received by the Attorney General Pursuant to a Court Order or Settlement" (EMERGENCY)

(H.P. 961) (L.D. 1414)

Signed:

Senator:

VALENTINO of York

Representatives:

ROTUNDO of Lewiston

FREY of Bangor

GATTINE of Westbrook

GRANT of Gardiner

JORGENSEN of Portland

MARTIN of Eagle Lake

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Senators:

HAMPER of Oxford

KATZ of Kennebec

Representatives:

NUTTING of Oakland

SIROCKI of Scarborough

TIMBERLAKE of Turner

WINSOR of Norway

READ.

Representative MARTIN of Eagle Lake moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative ESPLING of New Gloucester **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Acceptance of the Majority **Ought Not to Pass** Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 377

YEA - Alley, Babbidge, Bates, Beavers, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, Devin, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, Goode, Grant, Grohman, Hamann, Harlow, Herbig, Hickman, Higgins, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Martin J, Martin R, Mastraccio, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Saucier, Schneck, Shaw, Short, Stanley, Stuckey, Tepler, Tipping-Spitz, Tucker, Verow, Warren, Welsh, Mr. Speaker.

NAY - Austin, Battle, Bickford, Black, Buckland, Campbell R, Chace, Corey, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Hawke, Head, Herrick, Hilliard, Hobart, Kinney J, Kinney M, Lockman, Long, Lyford, Maker, Marean, McClellan, McElwee, Nutting, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Sawicki, Seavey, Sherman, Sirocki, Skolfield, Stearns, Stetkis, Sukeforth, Theriault, Timberlake, Timmons, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Beck, Dion, Farrin, Malaby, McCabe, Sanborn.

Yes, 79; No, 66; Absent, 6; Excused, 0.

79 having voted in the affirmative and 66 voted in the negative, with 6 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Seven Members of the Committee on **VETERANS AND LEGAL AFFAIRS** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-491)** on Bill "An Act To Provide Income Tax Relief by Expanding Gaming Opportunities"

(H.P. 876) (L.D. 1280)

Signed:

Senators:

CYRWAY of Kennebec

COLLINS of York

Representatives:

HANINGTON of Lincoln

KINNEY of Limington

MONAGHAN of Cape Elizabeth

SAUCIER of Presque Isle

TURNER of Burlington

Two Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (H-492)** on same Bill.

Signed:
 Representatives:
 GOLDEN of Lewiston
 LONGSTAFF of Waterville

Two Members of the same Committee report in Report "C"
Ought Not to Pass on same Bill.

Signed:
 Representatives:
 LUCHINI of Ellsworth
 SCHNECK of Bangor

One Member of the same Committee reports in Report "D"
Ought to Pass as Amended by Committee Amendment "C"
(H-493) on same Bill.

Signed:
 Senator:
 PATRICK of Oxford

One Member of the same Committee reports in Report "E"
Ought to Pass as Amended by Committee Amendment "D"
(H-494) on same Bill.

Signed:
 Senator:

Representative:
 DILLINGHAM of Oxford

READ.

Representative LUCHINI of Ellsworth moved that the House
ACCEPT Report "A" **Ought to Pass as Amended.**

Representative FREDETTE of Newport **REQUESTED** a roll
 call on the motion to **ACCEPT** Report "A" **Ought to Pass 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 Oxford, Representative Dillingham.

Representative **DILLINGHAM**: Mr. Speaker, Ladies and
 Gentlemen of the House, I rise in opposition to the current
 motion. I could base my objection on the probable direct and
 indirect job loss that would result with the building of a southern
 Maine casino less than 53 miles south of Oxford, that is just
 about an hour by vehicle if travelling Route 26 and I-95.

I could base my objection on the probable stalling of the
 ongoing economic development that our region is experiencing,
 such as the wastewater treatment center under construction on
 Route 121 or the hotel that is scheduled to break ground this
 month that would provide hospitality, maintenance, security and
 numerous other jobs. I could even base my objection on the fact
 that this proposal only requires the approval of county and
 municipal citizens, rather than the statewide vote that was
 required to establish the casinos in Bangor and Oxford.

Rather, I base my objection on the belief that this is a poor
 proposal for the citizens of Maine. The interested parties pushing
 to expand gaming in the State of Maine cited the White Sands
 Report as a supporting document to their quest. They believe
 this document was so important that the Veterans and Legal
 Affairs Committee should hear it again for the benefit of the new
 members. That is why I was surprised that after touting the
 findings of this report, it appears the only piece adopted was a
 competitive bid process.

The recommendations such as the casino operator license
 fee, the term of the license, the tax rate, and the recommendation

that there not be any language that requires or gives weight to
 attach a harness racing track were largely ignored by the
 supporters of this bill. These recommendations were given to
 ensure that any bids made to build a resort casino would provide
 the best outcome for the residents of Maine.

Though I personally question the accuracy of a report
 produced by a company that benefits from the industry, I was
 surprised how easily the recommendations were set aside by
 their supporters. I also question the distribution contained within
 the proposal. We all know how it works: incentives are included
 in the distribution in order to receive support from certain groups
 in hopes of persuading votes. And yes, it is what those
 supporting the establishment of casinos in Bangor and Oxford did
 as well, but I would think that we would learn from those
 experiences, that we would be able to recognize the potential of
 the revenue source and how it could fund other programs and not
 buy into the fear tactics that some use.

This bill proposes six percent to support harness racing
 purses and 1.5 percent to support the Sire Stakes Fund. Based
 off a report by Todd Gabe, Professor of Economics at the
 University of Maine, and using his calculations on the possible
 revenue a southern Maine casino could generate, that six percent
 and 1.5 percent would roughly be \$8 million and \$2 million in
 support of harness racing and the Sire Stakes Program,
 respectively. That amount would be in addition to the nearly \$4.8
 million and \$1.8 million that the purse supplement fund and the
 Sire Stakes Fund receives respectively from our existing casinos.

And I am aware of the argument behind the distribution to
 harness racing: that the casinos infringe upon their industry. But
 maybe it's time we spread the wealth a little bit. Perhaps more
 funding for our Agricultural Fairs in support of their premium
 payouts or to help those fairs that host harness racing maintain
 their tracks and their paddock areas. Maybe funds to support the
 DARE program that we discussed earlier in the year or even our
 county jail system that we just debated. I am sure many here
 could come up with other worthy programs, many that currently
 might reside on the Special Appropriations Table, that could use
 funding. I am by no means suggesting that our roads and
 veterans—which are also included in the distribution, are not
 worthy programs—only that maybe more time and consideration
 should've been given to this list.

And in closing, as you can see if you read the report, the
 Town and County of Oxford have also been included in the
 distribution. Though I appreciate the sponsor's desire and intent
 to preserve the level of revenue those local governments are
 currently receiving, the residents in the town and surrounding
 areas would rather have good jobs and economic growth to
 support their own families rather than the pandering to gain
 support for the motion. If we are going to expand gaming in
 Maine, I respectfully submit that we can do better than this
 proposal. I ask that you vote against the pending motion. Thank
 you.

The SPEAKER: The Chair recognizes the Representative
 from Paris, Representative Herrick.

Representative **HERRICK**: Thank you, Mr. Speaker, Men
 and Women of the House, I rise today in opposition to the
 pending motion. Prior to my election to this post, I served 16
 years as sheriff in Oxford County. The bulk of that period saw
 rough times for Oxford County, especially in the late '90's when
 we experienced the highest unemployment rate in the state.

And then a group of forward-thinking business people had an
 idea and began a development project that would help folks in
 Oxford get back on their feet. A state-of-the-art casino,
 restaurant, and lounge would finally give folks a chance at a

decent job. The stars would align in 2003 when the people of Maine decided by the slimmest of margins to allow for a second casino in the state. Thousands of people applied. Things were finally changing for the better.

A resurgence has continued in nearly three years that Oxford Casino has been open. Not only do folks have a place to work, but they now have a top-notch restaurant to visit. With regards to the folks that run the casino, they have been excellent. Oxford has a presence at every community event you go to. Just last week I know that they were the lead sponsor for the Moose Lottery Festival in Bethel. They truly have been a great community partner.

Unfortunately, future developments at and around the casino are on hold as the future of gaming in Maine has been uncertain since day one. Even before the doors opened in Oxford, development groups have been pushing, both by citizens' initiative and here at the Legislature, in an effort to saturate the southern Maine casino market. There are currently three casino projects underway in Massachusetts, one of which is a \$1.8 billion dollar facility being built by Steve Wynn. When is enough, enough?

Multiple market-based studies conducted by independent groups have indicated that Oxford Casino would likely lose as much as 50 percent of its revenue and over 200 jobs if a second southern Maine casino were to open just 35 minutes from Portland. Oxford Casino is southern Maine casino. Please vote "no" and support continued Oxford County resurgence that we so badly need. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Cumberland, Representative Timmons.

Representative **TIMMONS**: Thank you, Mr. Speaker and Honorable Members of this House, I'm going to provide a few facts and ask you to support me when I vote in favor of LD 1280. For the past 50 years I've been involved in the industry and the Maine agricultural fairs. They provide an integral part of Maine history. It's a fact, also, that the racinos have supported the Maine agricultural fairs and they still do and this will allow us to continue that.

There are approximately one million people that visit Maine fairs each year. Currently, I am the President of Cumberland Fair. I've been a former member of the Maine State Harness Racing Commission; also, a Director of Racing for 15 years. So I do know how important and how important the racinos have and how much they've supported the Maine fairs. The racinos and the revenue that's going to come from this industry will allow approximately 4,000 individuals that are involved in this business to stay in business. It will also help the nine fairs that also host harness racing to stay in business. They provide entertainment for the fairs and have been doing that for Cumberland Fair for over 100 years.

This bill will have a competitive bidding to that process, will require a \$25 million license fee. You're going to have a capital investment of between \$250 and \$400 million, which is economic development and is one of the few things that I've heard since I've been here that will add to the economy and to keep jobs. In conclusion, Maine agricultural fairs and Maine agriculture plays a very important role in the lives of Maine people. It is a fact that casinos have provided help for that and I'm going to ask you to, once again, vote in support of 1280.

The SPEAKER: The Chair recognizes the Representative from York, Representative Hymanson.

Representative **HYMANSON**: Thank you, Mr. Speaker, Men and Women of the House, I've lived in York for 30 years, raised three kids there, had a private practice in medicine taking care of

people. Historically, southern Maine is a proud protector and steward of the Maine brand. And a large casino advertised in the gateway to Maine would ruin the brand.

Ten years ago, on the New Hampshire to Maine bridge, there was a public uproar when utility wires were prepared to string across the bridge, visible to the traffic. It was a 10 second drive—less than 10 second drive, timed over the bridge. It was the entrance to Maine and the wires were buried at great cost. We're proud of our gateway status. Casinos No was a grassroots advocacy group which started in York and southern Maine to reject casinos statewide more than 10 years ago during the 2003 statewide referendum.

Representative Marion Fuller Brown, from 1966 to 1972, was a proud sponsor in this chamber of the law banning billboards on the highway. It's been a lasting protection that went up to the US Supreme Court. And I quote, "The Maine Act served substantial government interests through the preservation of aesthetic values." End quote.

Maine's brand is natural resources, not casinos. We take great pride preserving land, rivers, beaches, great woods, and marshes in southern Maine for a family-friendly, safe, healthy way of life and a destination which is distinctly Maine. Entering the state onto 95 into a casino culture would alter the perception of what Maine is. In addition, the cultural changes a large casino would bring to our southern Maine communities would alter them for the worse. Thank you. I'm voting "no."

The SPEAKER: The Chair recognizes the Representative from Washburn, Representative White.

Representative **WHITE**: Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of the pending motion. Casinos are the only business in Maine protected by the state government. If I want to open a casino and invest upwards of half a billion dollars in our economy and job market, I need to go through the Legislature. Mr. Speaker, if I want to open a McDonald's restaurant across the street from a Burger King, I don't need to go to the Legislature; I need to go to the municipality.

By protecting these businesses on the state level, we are allowing complacency to set in and discouraging free market. In doing so, we are removing any incentive for the casino to re-invest in itself, to expand, or to offer more to attract its customers. We are currently not offering any destination casinos here in Maine; we're offering convenience casinos. The majority of our current casinos' patrons live in the vicinity and travel less than an hour and a half to visit. This is our opportunity to raise the bar, Mr. Speaker. To bring competitive New England attractions right here to Maine. The opponents claim it's unfair to open a casino in southern Maine because of its proximity to Oxford. Do you believe Oxford was all that concerned when they were here in 2010 looking to build a casino in the proximity to Bangor?

The difference being, Mr. Speaker, that this time around, the municipalities of Oxford and Bangor are actually a part of the financial distribution, meaning an estimated \$1.3 million will be distributed annually to each respectively, giving the municipalities a net increase in tax revenue, lessening the tax burden on its residents. That seems more than fair to me Mr. Speaker. In fact I believe that's 100 percent more than the City of Bangor receives from Oxford casino currently.

Opponents also claim that harness racing shouldn't be coupled with casinos. Coupling harness racing with a casino is about maximizing jobs and a casino's impact statewide. Rather than the 500 direct jobs associated with a new business opening, we're ensuring up to 20,000 jobs from Kittery to the Saint John Valley are supported for future generations to come. These

people are farmers, feed and grain stores, tack shops, drivers, trainers, grooms, truck and trailer sales, and the list goes on. They pay taxes, hire employees, and contribute to our overall economy.

For all these reasons and more, Mr. Speaker, I will be supporting LD 1280, and I encourage you to join me so we can make Maine a destination and a "vacationland" for more than just six months a year. Thank you.

The SPEAKER: The Chair recognizes the Representative from Arundel, Representative Parry.

Representative **PARRY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of LD 1280. I was the one that originally put this bill in. I want to start off by thanking the Veterans and Legal Affairs Committee. This was a bill that took a long time. They worked it really hard. Even a couple of the members that decided to vote against the bill put a lot of input into the bill, so I was very appreciative of that.

What we're looking at here is a minimum capital investment of \$250 million; a \$25 million license fee. Currently, at the two current casinos, their initial license fee was \$125 million and \$150 million, respectively. We heard talk about the difference between a countywide vote and a statewide vote. Yes, on a statewide vote, the developers set the rules. This bill here, we are setting the rules. This is a competitive bid process. If we allow the developers to set the rules, you won't have a \$25 million license fee. If we had done this exercise back in 1992 or 2003, we probably wouldn't have left a total of maybe \$50 million on the table for the license fee part because the developers picked a low license fee.

One of the most amazing stats during the whole process here was something I received from Maine Tourism. From Portland, Casco Bay, south, is 40 percent of Maine's entire tourism dollar. And if you're familiar with southern Maine, you know there's very little west of the turnpike. So we have a very small area where a lot of tourists go. My worry long-term is, there will be a casino sometime in New Hampshire. There are casinos now being built in Massachusetts. Do we want to leave Maine out? If you have tourists that like to gamble and they're going away for a long weekend and a couple of the days may be rainy, do they stay home, so we not only lose sales tax money, meals and lodging tax money, along with gaming revenue? That's my worry long-term if we don't step up and put a resort casino in southern Maine.

As I said before, the competitive bid process, the minimum capital investment is \$250 million and that doesn't count the license fee, land acquisition, or any other cost outside the casino property, such as roads and new construction around the casino. We're looking at probably a \$400 to \$500 million project with about a thousand ongoing jobs. I believe that probably every one of us—and I looked at mine; palm card—talked about creating jobs. In the two current casinos that were built, Oxford—about a \$65 million project—employed about a thousand contractors to build the casino. Bangor was about \$130 million project, which employed approximately 2,000 employees to build the casino. If a project that's \$130 million employs 2,000, how much would a \$400 to \$500 million facility employ for the construction? These are all good paying construction jobs.

I think that another big number that I saw during this whole process was the aggregate income number. If you take 90 miles around Bangor, the aggregate income is approximately \$14 billion. Ninety miles around Oxford is approximately \$30 billion. Ninety miles around the center of York County is \$194 billion. Just on population, that same 90 miles around Bangor, there's approximately 550,000 people. The same 90 miles around

Oxford is just over a million people. That same 90 miles around the center of York County is 5.7 million people. We only have 1.3 million people in Maine. This southern Maine resort will be supported by our tourists and out-of-state dollars. Currently, 93 percent of the visitors going to Hollywood Casino are Mainers. And I think the number is around 86 percent going to Oxford. A southern Maine resort casino is going to be a majority from out-of-state and we will be exporting our cost of here in Maine.

And as we heard during the Highway Fund debate, we heard how short we are on Highway Fund dollars. That's why in this bill, we put a large amount of the money into DOT. We're approximately \$120 to \$150 million short right now in highway funding. This project, this tax disbursement gets us about a quarter of the way on our shortage, which I think is very important. The other important thing is we have one of the largest veterans' groups, the veterans' populations in the whole country per capita. And we don't do enough for our veterans and I think that was very important that we put extra money in for our veterans.

So, in closing, Mr. Speaker, I would really appreciate the support of everybody in the chamber. I know that the best thing about a debate like this: it's not a Republican/Democrat. It's a regional, it's a philosophical debate, but it's not a Republican/Democrat debate and those debates are more enjoyable because we're not just fighting across the aisle. Thank you very much, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Ellsworth, Representative Luchini.

Representative **LUCHINI**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, just wanted to rise and clarify that although I moved this report, I'm actually rising in opposition to the pending motion and I do so because I believe this report as written shortchanges the potential investment for expanded gaming in southern Maine, which is, as we all know, by far has the most potential for expanded gaming in the state. And the basis for my opposition, as was referenced earlier by a few Representatives, was a report that we commissioned last session. We hired a consulting group, the White Sand Consulting Group, to come in, analyze our gaming market, and make recommendations on how best to expand.

Specifically, we asked them how best to expand gaming in a way that maximizes job creation and economic development. The consultant printed the report, made these recommendations to us on how to structure a competitive bid that accomplishes these goals. Unfortunately, the report before us ignores most of those recommendations. I think multiple people have talked about the importance of bidding on the capital investment—that's bidding on the facility itself. That way, we can maximize the resort facility in a way that creates a lot of jobs, has plenty of ancillary offerings where jobs are created in places like restaurants, shops, arenas, convention centers.

However, the goal should be to maximize the capital investment, not simply set a minimum. And I'll quote the report. They say, "It's the capital investment in gaming that's the surest multiplier of a region's economy and our recommendations reflect a clear bias in favor of a robust capital investment requirement over a high license fee or tax rate." While this report does bid the capital investment, it completely ignores the recommendations regarding license fees and tax rates, and as a result, we'll end up with significantly smaller capital investment.

The White Sand Report recommends us setting the license fee at \$5 million. The Majority Report here multiplies that by five, for \$25 million, and it does this despite the fact that we're cautioned that even a modest increase in the amount of a license

fee will materially impact the amount of capital a potential operator is willing to invest. And further, it can shrink the potential pool of bidders. By choosing a high license fee, as the report says, we're choosing short-term revenue over long-term investment in jobs and economic development in the state.

Along very similar lines, this bill implements an extremely high tax rate of 46 percent. While it may work for two casinos, it's very high in the new situation where we would have three. In the report which we were given, recommended a tax rate of 35 percent and they said that's the upper end of the range that they would recommend. And the high tax rate is problematic for a few reasons. First of all, it'll reduce the amount of capital that investors are willing to invest in the facility because it will drastically reduce their return on capital. It'll weaken our pool of bidders. The lower tax rate would put us in a much better situation to compete with New Hampshire, potentially, and Massachusetts, who have set rates—or, New Hampshire's proposed rate's at 35; Massachusetts has a blended rate at 25. The lower tax rate also helps mitigate the cannibalization that will occur on the other two properties in the State of Maine. We've heard a lot about oversaturation up on the east coast and it's true. A lot of casinos are closing. And in fact, the Chief Executive's Office submitted testimony in opposition to this bill and he cited specifically the severe impact communities will have based on the cannibalization when we incorporate a new southern Maine casino. And I agree with the Chief Executive on that.

The other area which was quickly talked about is the tax distribution. Obviously, these casinos generate a lot of money; it can go to a lot of worthy purposes. And I don't think anybody disagrees that we need to spend more on roads and we need to help our veterans. But one area that I question, and it will be no surprise to people on the committee, is whether or not it's a sound financial decision to send millions of dollars to one industry and that in looking at this, it's biased towards the harness racing industry. In fact, looking at this, this tax distribution as given by the bill's sponsor, we would give over \$10 million annually from this casino to the industry. And we can add that on top of the over \$10 million that we're already giving from Bangor and Oxford. So, I think we have to question whether or not, as a state, we want to send over \$20 million of tax money to one industry; whether that's a good financial decision.

Lastly, one of the last topics of opposition that came up in committee is that this doesn't have a statewide referendum vote on it, as the previous bills had, or the two existing casinos had. Just three years ago the voters voted on a southern Maine casino and the voters rejected it. And now we're putting one back out there, except this time we're saying that they can't vote on it. This would only limit the voting to county and local votes.

So, to conclude, I think as a policy matter, we should be focused on maximizing the investment in Maine, the long-term investment, not the short-term capital. I think this report falls short of those goals and that's why I'm voting against the pending motion. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative O'Connor.

Representative **O'CONNOR**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, a lot of people have said a lot of the things that I wanted to say, so this will be short and hopefully sweet. One of the best parts about this, for me, was that when you consider this legislation—I am in strong support of it—it gives enhanced consideration to the harness racing industry if there is a harness racing track, and that is huge for Maine. It also, the \$250 million investment, is also excellent and we have

been fighting for jobs, jobs, jobs. Not only will there be a thousand continuing jobs, but thousands more that support our agricultural fairs, our farmers, and the harness racing industry. And it is a win-win with tax revenues to veteran services, the Maine DOT Highway, Bridges, and Capital account, and it also protects the municipalities like Bangor and Oxford casinos.

And one of my favorite reasons for this is my dad took me to play the ponies when I was 10. I put two bucks down on a horse and I won \$20. And since that time, I've played the ponies again and never lost a nickel. So, maybe I'm lucky and I shouldn't have spoken up about that, but I'm looking forward to donning a big brimmed hat, ordering up a mint julep, and playing those ponies close to home.

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Vachon.

Representative **VACHON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I am not a gambler, but that doesn't stop me from going to a resort that has a casino, just like the Maine State Lottery doesn't stop me from patronizing a convenience store. The truth? If you don't gamble, you don't think about gambling. That is, until the debate over casinos hits the Maine Legislature.

I think it's time for Maine to relax and compete, because, you know what? While we've been hard at work debating and fearing that one or two more casinos in our beautiful state will hurt current successful Maine casinos, Massachusetts has been hard at work building three resort casinos. They've captured capital investment dollars and created thousands of jobs. Soon, Massachusetts will be eating Maine's casinos' lunch.

Over the years, casino-style gambling has become a more widely accepted form of entertainment. While Maine has been debating, Massachusetts has taken a long, hard, comprehensive look. According to Spectrum Gaming Group, only nine percent of resort-goers cite gambling as their primary reason to go to a resort. Resort casinos attract more affluent adults beyond those typically characterized as gaming-centric.

The study goes further. What are people looking for in a vacation experience? At the top of the list, they want to go to a place they have never been before with experiences that include beach, spa, dining, shopping, theme park, nightlife, entertainment, golf, and tennis. Well, hello, Maine. Vacationland. The way life should be. Are we open for business? I say, yes. It's time to compete. Done right, a resort casino in Maine can be done responsibly, strategically, and tastefully, in a uniquely Maine style without compromising Maine's brand and values; only expanding and enhancing it.

Maine's tourism industry has a great opportunity. As other states fully integrate casino gambling into resort-style tourism, Maine's tourism industry should deeply ponder if holding back is a smart move. In recent weeks, right here in this chamber, we grappled with mining in our beautiful state, along with wind development, all in the name of jobs. As I ponder the number of jobs to the risk of hurting our environment, Maine's prime asset, our quality of place, I couldn't help but think: Tastefully done, resort-style casinos could bring far more jobs and preserve our environment. I noted further the number of call centers who choose to come to Maine. There's a reason, Mr. Speaker. Maine has really nice and hardworking people. Indeed, Maine has everything right here to be a natural leader in hospitality.

Think about it. Who among us here doesn't cherish Maine's diverse and abundant resources, pastoral landscapes, farms, woodlands, oceans, lakes, mountains, farmer's markets, agricultural fairs, lobsters, blueberries, maple syrup, snowmobile trails, snowshoeing and downhill skiing, hunting, fishing,

camping, hiking, cycling, microbreweries, foodie tours, arts and entertainment, plays, comedy, concerts, harness racing, salt marshes, and gambling. As our nation ages, seniors who once participated in rigorous outdoor activities are now opting for more passive entertainment. Expanding gambling and expanding nightlife will extend Maine's day and season, bringing in more jobs and business opportunity. Gambling, integrated with Maine tourism, could anchor key regions of Maine's vast experiences. From the beaches to the south, to the mountains to the west, up to the city-rich and arts and entertainment, to Maine's northern tribe region, those searching for a unique and different experience will surely find it here in Maine. I sure hope Maine is open for business. I hope you will follow my light and vote "yes" for LD 1280. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from the Houlton Band of Maliseet Indians, Representative Bear.

Representative **BEAR**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, while the reality is setting in of a bill I'm fond of not having succeeded moments ago in the other body, I am in support of this bill. And I think I'm safe in saying that the tribes as a whole support the report that clearly eliminated any doubt that there was room for expanded gaming in the State of Maine. I think I'm also safe in saying that the benefits that will come out of this business proposal through this process, which will benefit the veterans, which I'm proud to be able to in any way help achieve as a member of the Veterans and Legal Affairs Committee that you appointed me to and which I am grateful for, is enough of a reason.

But more than that, the jobs, the help to the economies and the communities this may be situated in, the tremendous support as represented by all the people in the gallery—the companies, the supporters—who are ready to make the investments, albeit seemingly high in the language of the present bill. Maybe not quite consistent with the White Sand Gaming Report, but they're eager to invest. For some reason, they think it's a good deal.

It's likely that the other gaming businesses in Oxford and Bangor probably have, as a fallback position, that they're quite pleased with the language in this bill that will compensate for impacts in the municipalities that the current gaming operations exists, specifically Oxford and the region, where there is a huge fund that stands ready once this business is operating and the funds are deposited with the Gambling Control Board to offset impacts as they occur, whenever they occur, forever. This, as I understand it, is the safety mechanism and it was well thought out. Over several months, experts testified and made sense.

And, so for all of those reasons, I, for one, stand by the road and cheer them on and hope that you agree and pass this excellent business opportunity, despite its flaws, despite the high tax rate, and despite the seeming willingness by these companies, by these supporters to still do this deal if it's offered to them, if they're successful in the bidding process. A bidding process, by the way, that was required two years ago to be established. A bidding process, though flawed, that now exists. The goal was set. We've crossed the goal line with this bill. However it happened, we've now crossed the goal line and we can't now move the goal posts again because of technicalities, because it just doesn't quite comport with exactly the White Sand Gaming Report recommendations. All of that's true, but we could do that every session. We could find how it just doesn't quite comport.

Now, I think that the economy is such that Maine would benefit significantly. A \$15 billion industry still exists. We've only used up about \$6 to \$6.5 billion as I understand it. There's plenty of room for expansion or they wouldn't be building a billion dollar

facility to the south. They wouldn't have come close in New Hampshire to building theirs, and in western Massachusetts or eastern New York in Greenwich, where I think they're set. These two companies have casinos around the world and I don't think they're going to suffer too much if we bring on another one. And I think that, again, there has been great wisdom in the bill and having a fund to offset Oxford and the region and the expected money that should flow there to pay for what they plan on those funds to pay for. And I hope that in the cascade, which will be developed in the second half of the session, that safety can be provided to Bangor for any and all impacts to the mortgage payment with the Cross Insurance Center and I'm sure that would happen, especially if I'm on the committee. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Russell.

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, while we're talking about the journey this year on gaming opportunities, this journey has been many, many, many years in the making. I've been working on this issue for seven years and I know the good Senator Valentino has been working on it for many more.

So, my district hates gaming. It votes against it consistently. I grew up in Oxford County. I've even lived in Philadelphia, so I've seen Atlantic City firsthand and the negative aspects of it. So when I first came back to Maine, I was categorically opposed to casinos. The only casino that I've ever voted for at the ballot box is the Washington County casino. And then I was put on the Veterans and Legal Affairs Committee, where I started to learn a little bit more about it. I started learning that the industry, through referendum, had largely written all of the rules. Imagine an industry that created the regulations by which it was then regulated. Under any other area of business, we would have very serious concerns about that. But that's what you have before you.

Now, most of you know, I'm a huge fan of the citizens' initiative process. But these aren't just citizens' initiatives. These are corporate initiatives designed to make sure that they create a referendum that is written exclusively the way that they want. And that's where my perception on gaming started to shift. It was no longer about whether or not to have a casino, because we now have two. It was actually about how we regulate the casinos. How we manage the influx of referenda.

Now, back in the 125th, I refused to vote in support of the casino referenda on the floor of the House and in committee. I refused to allow a competing measure on the Oxford casino. Absolutely opposed it because I didn't think that it was the right process. I told folks then, and I became quite an enemy of the industry, I became quite the enemy of the harness racing industry because I refused to switch the process. Folks had collected signatures. It should go out to the ballot box. And I said then, if it came to us in a bill, if we were able to do a statewide, comprehensive policy, I would support developing a competitive bid process.

And so a truce has been held. A ceasefire on referenda was called by the industry in the hopes that the Legislature would do the right thing and create a competitive bid process. Now it's not that they don't mind spending the \$400,000 it takes to get on the ballot and the \$2 or \$3 million at the ballot box to win, if not \$5 million. It's not that it's cheaper. It's that it comes down to the market share. So we've heard a lot about the market share of Bangor, the market share of Oxford, and how this bill before you, this amendment, threatens that.

But what threatens it more is the unpredictability of the citizens' initiative process. If this package does not move forward, the ceasefire will be called off and instead of being able to have a fair shake at putting in a proposal and letting the best proposal win, getting the best deal for Maine through a competitive bid process where we write the rules, where we write the regulations, where we are in charge of the process, instead of that, it will come by referendum that is not a citizens' referendum per se, it is a corporate referendum. Out-of-state folks will be hired to come in. As I said, it'll cost about \$400,000 to get it on the ballot, and we will have more referenda coming. And some of those are going to pass.

Now I stood here last year absolutely opposed to the bill that would bring forth the White Sands Gaming Report and the reason for it at the time was because it had very key phrase in that bill. It said, "If a market exists, then you can look at the rest of the equation." And we had already seen a report submitted by Churchill Downs and Hollywood Slots that basically outlined that there was no market in Maine for expanded gaming. So with that knowledge, I understood that the way that the study was written was designed to preclude any new information from coming. And I felt at that time...

The SPEAKER: Will the Representative defer? The Chair recognizes the Representative from Bangor, Representative Goode, and inquires to why the Representative rises.

Representative **GOODE**: Thank you, Mr. Speaker, I would inquire as to whether a quorum is present.

Representative GOODE of Bangor inquired if a Quorum was present.

The Chair ordered a quorum call.

More than half of the members responding, the Chair declared a Quorum present.

The SPEAKER: The Chair would also, before we proceed with the debate with Representative Russell of Portland, there was a suspicion or hope that this might be our last and final long night. That is going to be determined by the length of debates. We do have a number of bills to get through, but it will be determined by the Members and the length of debate. We have six Members in the queue.

The Chair recognizes the Representative from Portland, Representative Russell.

Representative **RUSSELL**: Thank you, Mr. Speaker, Men and Women of the House, and thank you to my good friend from Bangor. We can now quantify how many people leave the room when I stand up. So as I was saying, I was against the gaming proposal and the study last year. Oh, here we go. And as it turned out, the gaming proposal confirmed what some of us had been fighting for last year all along. We paid \$150,000 to White Sands Gaming to put together a report that basically told us what some of us had been fighting for. And so now we have that report before us and the work of the committee has been really great this year and I really appreciate it, especially since I'm no longer on the committee.

But there are some folks that have said that this strays greatly from the White Sands Gaming Proposal and I would disagree. So it requires a nonrefundable application fee of \$250,000 just like White Sands Gaming. Yes, the license fee is significantly higher and that has a lot to do with making sure that we have money set aside in case there's any problem that might be considered up around crime or any of those things even though we know that that's probably not going to happen.

So, essentially, what we're looking at is another \$5.5 million a year towards veterans. And let me break that down for you about what that means. It's not just \$5.5 million for veterans. Some of

the programs that the Veterans and Legal Affairs Committee has been working on and trying to find money for over the past years include transportation vans. There's a group of veterans that travel the state in vans and they make sure that veterans get to their medical appointments. And then several years ago we allocated a whopping \$15,000 to replace a van because they desperately needed it. Imagine what we could do with \$5.5 million. Veteran services officers across the state, some the state pays for and some come through the American Vets and the VFW, among others. The Veterans Services Officers often bring in millions and millions and millions of dollars in new earned benefits for our veterans every year and every year it continues to accumulate.

That's a significant return on investment. Some of those veterans move from MaineCare to the VA, again a cost savings for the state. Not that long ago, I drove from here to DC in my little car and I have to say that our roads were the worst all across the eastern seaboard. And we all know that. Every time you take your car to the repair, it has to do with the potholes. We're putting \$55 million into the transportation budget and as you may know that money is untouchable. The only folks that can touch that are the Transportation Committee and through the transportation budget.

The other reason that I'm supporting this is that I learned over time something that was really important to Maine's culture and to Maine's heritage. Everyone that grew up here has a memory of going to the fair: riding the carousel, riding the Ferris wheel, having some fried dough, and more importantly watching the animals. Our children learn at the fair about what agriculture looks like. If we lose the harness racing industry, which is predicated on having a track that is making money in southern Maine, if the harness racing industry goes under, about half of our fairs will close in the next year and a half to two years all across the state. In the most rural parts of the state, the fairs will close. That is a problem not just for our children who learn; it's a problem for our young farmers who want to be able to have a place to compete their stock. That is a real problem for Maine. We need to preserve our heritage and sometimes the choices in how you do that are difficult. But this is based on a report that quantifies the value that gaming can bring to this state.

When we debated last year the liquor contract, folks wanted the same thing. They wanted the best deal for Maine and the industry wanted a fair chance at a competitive bid process. That's what this does. If you oppose gaming and expanded gaming, then this bill may not be for you. If you live in a region where gaming already exists, this bill may not be for you. But if you are concerned about dramatic expansion of gaming, I would highly recommend that you think about what happens when we continue to have referendum after referendum coming forth. That is where the market is a problem. That is where we continue to see expanded, expanded, expanded gaming.

This expands gaming in a responsible manner. It means that we actually set the regulations. We determine where the money goes. It is not decided by industry. That's the key factor. This bill means that gaming going forward, we have a statewide gaming policy that is designed and regulated by us and not regulated by the industry like it has been in the past. Let's make sure that the truce on the referenda continues and that we use the competitive bid process to get the best deal for Maine. Gaming is here whether you like it or not. But let's make sure that the folks at home, the fairs, the harness racing industry, our heritage, are protected in the process. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Glenburn, Representative Guerin.

Representative **GUERIN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, we all have limited expendable incomes. I believe in spending much of mine by buying local. My good friends on both sides of the aisle: you can rest assured that the casinos want to be here to make money. This is their business model. The house never loses in the end. They do not want to come here out of the goodness of their hearts or concern for Maine's economy. It's all about the money they will make and take.

The money will be sucked out of Mainers' expendable—and sadly sometimes non-expendable incomes—and sent flying out of state never to return. Do you believe in buying local and truly supporting the local economy? If you do, please join me in supporting Maine's locally-owned businesses by voting against the pending motion.

The **SPEAKER**: The Chair recognizes the Representative from Limington, Representative Kinney.

Representative **KINNEY**: Thank you, Mr. Speaker, Men and Women of the House, having served on the Veterans and Legal Affairs Committee, we've been dealing with these types of bills in the last couple sessions. And if you've followed the papers and if you've followed the articles that have been written and if you've followed gaming throughout this country, as long as we have opportunity in Maine, this is going to continue.

The one item that the members of the Veterans and Legal Affairs Committee have always wanted to do is help Maine veterans and 1280 is the legislation that can accomplish this task. I realize that gaming presently does help veterans. We spend \$15,000 a year on a van. What a great deal. We also do, as the good Representative from Portland just mentioned, we do fund two VSO offices over at Togus and without those VSO offices over at Togus, a lot of people would be losing their rightly earned veterans' eligibility items that they're entitled to. The one thing that I want you to think about on this bill: this bill will demonstrate to the entire nation, this great country, how Maine leads. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Orrington, Representative Campbell.

Representative **CAMPBELL**: Thank you, Mr. Speaker, Men and Women of the House, long, long ago in 1993 in this body, there lived a bill. That bill was called, "Would we like to have the first casino in Maine?" I sat over here in Seat No. 97. The sun was streaming through the windows and we had the same debate over and over and over. Went on forever, especially if you knew some of the people who had to speak.

The first casino would come to live in a place named Calais. This bill would allow Harrah, the developer, to spend \$40 million in a building. This building then, in five years, would be gifted to the tribes. They were also to spend \$40 million in the community. \$40 million in building another nine holes in the golf course, public transportation, total investment in this small community.

Well, the debate went on and on and on and the debate was interesting. We have come to the lowest level of sponsorship of an industry which is the lowest in the world: gambling. Well, we had been gambling. The state was already in the scratch ticket business. Well, anyway, it went on and it went on. I am not in favor of gambling. I never have been. When I was a kid, my grandmother wouldn't let us play cards on Sundays.

But I looked at this as a development project. This is a development project that was going to spend \$80 million in a small town in Calais right across the border from Canada. This was the first casino proposed in Maine. Well, the debate was, as I've mentioned, but they also mentioned, "Well, if you don't allow us to do this in Calais, what will you do for Calais?" And the

response was, "Oh, we will do things for Calais." Here we are 23 years later; have we done anything for Calais? No, we haven't done anything for Calais.

That investment was not going anywhere. \$80 million in a small community. Now, listen to the numbers that we're talking about here. Incredible. \$25 million fee just to apply. The money to support that industry was going to come from Canada. And it wasn't going back across the border. That's the nature of the business. Well, unfortunately, it didn't happen. I'm saddened that we passed up the first opportunity. Since, there have been a few casinos built right across the border. Guess what? They don't come across the border anymore to spend their money. It's unfortunate and really saddens me to think that we passed up that development opportunity for Calais. So I hope you consider this proposal and invest in Maine. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Hollis, Representative Mearan.

Representative **MAREAN**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of LD 1280 and I'm absolutely sure that's of no surprise to anyone. A southern Maine casino with a racetrack, we all talk about jobs and we talk about impact of new business in Maine, and this bill will give us both. Passing this bill will create a trifecta of job creation, investments, preservation of farms and open space.

I've been involved in the harness racing business for more than 30 years. And for 25 of those years, my wife and I have operated a breeding farm where we bred, raised, and raced Maine horses. Our farm contributed to the local economy. We pay a substantial real estate tax, and we kept the farm in open space and preserved the farm from development. My farm is in York County, sits on the edge of the Saco River, and it's a 60-acre site of prime development. And if it wasn't for harness racing, this farm would've been full of houses by now.

We bought the farm in 1988. It was already an approved subdivision. Linda and I removed the subdivision option and put the farm back into agriculture production. One thing that we did for sure, was that we preserved this 250-year-old farm on the Saco River in York County from development. Approving the effort of the southern Maine casino with a racetrack will not only save more farms and open space, it will also create agricultural development jobs and investment.

One of the things that's not been spoken about here today is the investment of the harness racing industry. It's a considerable investment for any individual to get into the harness racing business and it's a risk. There is opportunity to recoup some of your investments, but it's a huge risk. The cascade in this bill, of which there are many, it's important to remember that the harness racing industry's funds that would come under this cascade will require those who participate in harness racing to make considerable individual investments with no guarantee that they will ever going to receive a dime. There are a lot of other recipients in this cascade that just receive the funds without having to make any investments at all.

The harness racing impact, because of the required investments going forward, is a huge investment for a lot of folks. Breeding and raising horses in Maine is no guarantee that you receive any of the funds that are available from the cascades. It is important for the Legislature and the public to understand that no one in harness racing receives any purse money or any sire stakes money until they earn it. You have to own the horse, pay all the expenses that are associated with it. You have to be licensed by the State of Maine.

Not only do you have to fulfill all of these requirements, your horse also has to beat certain standards in order to race. Once a

horse has met the standards and has qualified and got along with all the criteria that was necessary, the only way to receive any money is if you finish in the top five of a race. If you finish any place sixth place or back, you just came along for the fun; you don't get any money at all.

The breeding program is by far the largest risk of all, especially if you're the owner of the mare, also known as the mother of the foal. Only about 50 percent of all mares that are bred will actually get pregnant and carry their foal to birth. Yet, you still have to care for the mare whether she has the baby or not. If she has a foal and it actually lives, and goes into training as a sire stakes horse and actually makes it and actually qualifies, by the time you get this done, it's a three-year effort and a cost of about \$30,000. Doesn't mean you're going to get a dime of the cascade money until you've raced, crossed the finish line in a position of five or better.

The mare carries the foal for 11 months. If she ends up not being pregnant for next spring, you've wasted a whole year. You have to go through all the process again. All of that costs money. All of that requires farm. All of that requires another investment in another year in hopes that you might get something. This is a very risky business. It requires a lot of love for the sport and a lot of courage. The only way to keep folks investing in this business is to offer a large purses to race for and that is what these casinos can do for us. All of this requires farming infrastructure, considerable investment, and a lot of open space. Farms that provide open space and public access to their land for hunting, fishing, and recreation.

Racing and breeding in Maine is a huge contribution to the state and to our agriculture and we've been doing it for over 100 years. Without horse racing, our agricultural fairs will struggle to survive. Can you imagine Maine without our fairs? They are one of the last places that we can teach our children about agriculture. To sum it up, yesterday in Massachusetts, they opened a new casino at Plainridge Raceway; the first casino to open in Massachusetts. Believe it or not, those folks in Mass. were smart enough to tie a racetrack to that casino and make it part of the requirement for building an opening.

Last week, I spent three days in Washington at the nation's capital. I'm on the Board of Trustees of the American Horse Council. All breeds of the American Horse Council were representing at that three-day meeting where we talked and discussed about the impact of the horse. The horse in the United States is a huge, huge economic impact on agriculture and recreation, as well as for racing. I hope that this state recognizes and appreciates the horse. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Eddington, Representative Lyford.

Representative **LYFORD**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise and oppose this bill. I hope we will defeat it. You know, there's an old saying about gambling is a sin and when you go to Heaven you may or you may not be let in. We're going to take this great big bag of money and we're going to push it over to another state. And why are we going to do that? You see these young people walking around in here today working. We're going to do it for those young people to give them a cleaner and a better state. Thank you, Mr. Speaker.

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

ROLL CALL NO. 378

YEA - Austin, Bates, Battle, Bickford, Black, Bryant, Buckland, Campbell R, Chace, Chenette, Corey, Daughtry, Davitt, DeChant, Doore, Dunphy L, Dunphy M, Edgecomb, Evangelos, Foley, Fowle, Fredette, Gerrish, Gilbert, Gillway, Ginzler, Grant, Greenwood, Grohman, Hanington, Hanley, Hawke, Hickman, Higgins, Hobart, Hobbins, Jorgensen, Kinney J, Kinney M, Long, Maker, Marean, Mastraccio, McCabe, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, Noon, Nutting, O'Connor, Parry, Picchiotti, Pierce J, Pouliot, Prescott, Russell, Sanderson, Saucier, Shaw, Sherman, Short, Sirocki, Skolfield, Stanley, Stetkis, Sukeforth, Tepler, Theriault, Timmons, Tucker, Tuell, Turner, Vachon, Verow, Wallace, Warren, Welsh, White, Wood.

NAY - Alley, Babbidge, Beavers, Beebe-Center, Blume, Brooks, Burstein, Campbell J, Chapman, Chipman, Cooper, Crafts, Devin, Dillingham, Duchesne, Espling, Farnsworth, Fecteau, Frey, Gattine, Gideon, Golden, Goode, Guerin, Hamann, Harlow, Head, Herbig, Herrick, Hilliard, Hubbell, Hymanson, Kornfield, Kruger, Kumiega, Lajoie, Lockman, Longstaff, Luchini, Lyford, Martin J, Martin R, McClellan, Morrison, Peterson, Pickett, Pierce T, Powers, Reed, Rotundo, Rykerson, Sawicki, Schneck, Seavey, Stearns, Stuckey, Timberlake, Tipping-Spitz, Wadsworth, Ward, Winsor, Mr. Speaker.

ABSENT - Beck, Dion, Farrin, Hogan, Malaby, Sanborn.

Yes, 83; No, 62; Absent, 6; Excused, 0.

83 having voted in the affirmative and 62 voted in the negative, with 6 being absent, and accordingly Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-491)** 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-491)** and sent for concurrence.

CONSENT CALENDAR

First Day

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

(H.P. 936) (L.D. 1381) Bill "An Act To Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY) Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-495)**

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

There being no objection, the House Paper was **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.