

# MAINE STATE LEGISLATURE

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One Hundred and Twenty-Fifth Legislature

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**ROLL CALL (#217)**

YEAS: Senators: ALFOND, BARTLETT, COLLINS, FARNHAM, HASTINGS, HILL, HOBBS, JACKSON, MARTIN, MASON, PATRICK, ROSEN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT PRO TEM - CHRISTOPHER W. RECTOR

NAYS: Senators: BRANNIGAN, COURTNEY, CRAVEN, DIAMOND, DILL, GERZOFKY, KATZ, LANGLEY, MCCORMICK, RAYE, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, TRAHAN, WHITTEMORE

EXCUSED: Senators: GOODALL, PLOWMAN

16 Senators having voted in the affirmative and 17 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator FARNHAM of Penobscot to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE, FAILED**.

The Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-400) **READ** and **ADOPTED**, in concurrence.

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

Senator PATRICK of Oxford requested and received leave of the Senate to withdraw his request for a Roll Call.

Under suspension of the Rules, **READ A SECOND TIME.**

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#218)**

YEAS: Senators: BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GERZOFKY, KATZ, LANGLEY, MASON, MCCORMICK, RAYE, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, TRAHAN, WHITTEMORE

NAYS: Senators: ALFOND, BARTLETT, HASTINGS, HILL, HOBBS, JACKSON, MARTIN, PATRICK, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT PRO TEM - CHRISTOPHER W. RECTOR

EXCUSED: Senators: GOODALL, PLOWMAN

21 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 2 Senators being excused, the Bill was **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Chair laid before the Senate the following Tabled and Later (6/7/11) Assigned matter:

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

I.B. 1 L.D. 985

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

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

Tabled - June 7, 2011, by Senator FARNHAM of Penobscot

Pending - **ACCEPTANCE OF EITHER REPORT**

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

(In Senate, June 7, 2011, Reports **READ**.)

Senator FARNHAM of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**

**THE PRESIDENT PRO TEM:** The Chair recognizes the Senator from Penobscot, Senator Farnham.

Senator FARNHAM: Thank you Mr. President. Again, I would just say this is another one of the citizen initiated bills that came before the Veterans and Legal Affairs Committee. The suggestion I had to the committee on these was to do the same to both items. Both citizen initiated bills came to us in the same way, the same exercise was done by the citizens of the state of Maine to get the signatures on the petitions. They came to the committee in the same way, although the potential behind both of the citizen initiatives referendums is different. They both came to us the same way. I have a motion up there as the majority of the committee was Ought Not to Pass, but again I'll just ask for you to consider how you want to handle this bill as far as whether or not you support past practices or support what you just did in the last vote. That's what kind of what happened in the committee.

On motion by Senator SNOWE-MELLO of Androscoggin, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

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

Senator **Craven**: Thank you Mr. President. Men and women of the Senate, I rise in opposition to the pending motion. I certainly am not a gambler, nor do I promote gambling. The citizens of my district voted 2-1 in favor of having a casino in Lewiston. I am here on their behalf to do my best to have their preference done. We have very high poverty rates in Lewiston, about 24% of our children live in poverty. I'm afraid that people seeking riches and quick money will spend their money on gambling as opposed to saving it and spending it on their families. All of that said, our community has worked very, very hard to set the stage for a casino in Lewiston and have made investments and have done their due diligence. Mr. President, I ask the Body to follow my light. Thank you, Mr. President.

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

Senator **Snowe-Mello**: Thank you Mr. President. Ladies and gentlemen of the Senate, I rise in full agreement with my fellow Senator from Androscoggin County, Senator Craven. I do represent Androscoggin County and the city of Auburn, where we have the folks showing tremendous support for this L.D. 985. They did a petition drive and it was overwhelming how many people wanted this to come up and want us to vote on this issue. Once again, I am not in favor of gambling, but, once again, you have to stand up and speak for your people back home and the wants and needs that they express to you. I'm going to ask you to please help us out and vote in favor of L.D. 985. Thank you.

**THE PRESIDENT PRO TEM**: The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **Jackson**: Thank you Mr. President. Ladies and gentlemen of the Senate, very quickly. I am not against gambling. Actually I think I've got a \$25 winning ticket in my pocket for the Megabucks from last night. I don't do much of it because I don't have very much money to begin with, but I just wanted to get up and explain that I was not against the previous motion. I thought if Biddeford and the tribes wanted a casino I had no problem with that. I just thought where everything else had gone out to referendum probably people should follow the same process. Now that we've opened that door, I certainly don't have a problem with Lewiston having the opportunity. Honestly, probably now that we don't have to go out to referendum I'm probably thinking about doing something for Aroostook County. I am in favor of this motion. That's why I'll be supporting it. It certainly wasn't any slight to Biddeford because I hope they do great things with theirs now.

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

Senator **Patrick**: Thank you Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, I guess things are changing. I guess we're going to be having a vote here coming up real shortly as to whether or not this is just a fluke or whether or not the members of this Body want to allow gaming everywhere. My colleague to my right, the Senator from Aroostook, hopefully will have one casino or racino up in Aroostook County sooner or later because there are horse racers up there as well. There are a lot of Canadians there. I think that

if we're going to throw caution to the wind I'm hoping that you all follow suit. The committee vote didn't make any difference last time, so I'm hoping that the same issues that prompted you to support the first initiative will now prompt you to vote in opposition to this Ought Not to Pass and go on to pass this bill. Thank you.

**THE PRESIDENT PRO TEM**: The Chair recognizes the Senator from Aroostook, Senator Sherman.

Senator **Sherman**: Thank you Mr. President. Ladies and gentlemen of the Senate, I just rise to the comments about Aroostook County. We have Hoover's up there with several hundreds of millions of dollars. We have McCains, which produces about one half a billion dollars worth of products. We have Loring Development Authority with about 400 or 500 jobs on there. I think if you would allow the spray rules to go we might even increase our profit with our potatoes. We're doing very nicely, thank you.

**THE PRESIDENT PRO TEM**: The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **Jackson**: Thank you Mr. President. I'd also just like to add if you let American and Maine loggers cut wood in Maine we'd do a lot better also.

**THE PRESIDENT PRO TEM**: The pending question before the Senate is the motion by the Senator from Penobscot, Senator Farnham to Accept the Majority Ought Not to Pass Report. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

#### ROLL CALL (#219)

**YEAS:** Senators: ALFOND, BARTLETT, BRANNIGAN, COLLINS, COURTNEY, DILL, FARNHAM, GERZOFSKY, HASTINGS, HOBBS, MASON, MCCORMICK, ROSEN, SHERMAN, WHITTEMORE, WOODBURY, THE PRESIDENT PRO TEM - CHRISTOPHER W. RECTOR

**NAYS:** Senators: CRAVEN, DIAMOND, HILL, JACKSON, KATZ, LANGLEY, MARTIN, PATRICK, RAYE, SAVIELLO, SCHNEIDER, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, TRAHAN

**EXCUSED:** Senators: GOODALL, PLOWMAN

17 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **FARNHAM** of Penobscot to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE, PREVAILED.**

Sent down for concurrence.