

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Ninth
Legislature***

OF THE

STATE OF MAINE

Volume II

First Regular Session

May 7, 1979 to June 15, 1979

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ment "A".

The Committee on Fisheries and Wildlife on, Bill, "An Act Concerning Registration of Killed Deer." (H. P. 372) (L. D. 478)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-400).

Comes from the House, the Bill Passed to be Engrossed by Committee Amendment "A".

The Committee on Health and Institutional Services on, Bill, "An Act to Amend the Statute Concerning the Practice of Medicine." (H. P. 1240) (L. D. 1502)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-401).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A".

The Committee on Marine Resources on, Bill, "An Act to Revise the Lobster Escape Vent Law and Remove its Sunset Provision." (H. P. 894) (L. D. 1091)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-403).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A".

The Committee on Judiciary on, Bill, "An Act Relating to the Criminal Appeals and Search Warrants." (H. P. 1092) (L. D. 1375)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-408).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A".

The Committee on Public Utilities on, Bill, "An Act to Amend Provisions of the Charter of the Gardiner Water District Relating to Trustees and Funding." (Emergency) (H. P. 712) (L. D. 885)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-407).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A".

The Committee on Local and County Government on, Bill, "An Act to Permit the Lucerne-in-Maine Village Corporation to Revise its Charter." (H. P. 675) (L. D. 835)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-397).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A".

The Committee on Local and County Government on, Bill, "An Act to Return a Portion of Land to the Town of Wales by the Town of Sabbatus." (H. P. 709) (L. D. 883)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-396).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A".

The Committee on Taxation on, Bill, "An Act Defining a Retailer's Sale of Equipment Used in Its Business as a Casual Sale under the Sales and Use Tax Statutes." (H. P. 1066) (L. D. 1320)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-398).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A".

The Committee on Fisheries and Wildlife on, Bill, "An Act to Amend the Prohibition of Issuing Fisheries and Wildlife Licenses to Persons Convicted of Certain Offenses." (H. P. 641) (L. D. 795)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-399).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A".

Which Reports were Read and Accepted, in concurrence, and the Bills Read Once. Committee Amendments "A" were Read and Adopted, in concurrence, and the Bills, as amended, Tomorrow Assigned for Second Reading.

Ought to Pass in New Draft

The Committee on Education on, Bill, "An Act Relating to the Vocational-Technical Institutes." (H. P. 966) (L. D. 1097)

Reported that the same Ought to Pass in New Draft under Same Title (H. P. 1393) (L. D. 1613)

Comes from the House, the Bill, in New Draft, Passed to be Engrossed as amended by House Amendment "A" (H-426).

Which report was Read and Accepted, in concurrence, and the Bill, in New Draft, Read Once. House Amendment "A" was Read and Adopted, in concurrence.

The PRESIDENT pro-tem: The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator KATZ: I move the Rules be Suspended.

The PRESIDENT pro-tem: The Senator from Kennebec, Senator Katz, moves that the Rules be Suspended.

Is this the pleasure of the Senate?

It is a vote.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator KATZ: Mr. President, this is a most important Bill out of the Committee on Education, and I urge all of you to take note of it. For our purposes this morning, I move that the bill be given it's second reading at this time.

The PRESIDENT pro-tem: The Senator from Kennebec, Senator Katz, moves that the L. D. 1097 be given its second reading at this time.

The Bill was Read a Second Time and The Bill, Passed to be Engrossed, as amended, in concurrence.

Divided Report

Six members of the Committee on Legal Affairs on, Bill, "An Act to Amend the Laws Relating to Games of Chance." (H. P. 672) (L. D. 833)

Reported in Report "A" that the same Ought Not to Pass.

Signed:

Senator:

FARLEY of York

Representatives:

VIOLETTE of Van Buren

MAXWELL of Jay

SOULAS of Bangor

CALL of Lewiston

GAVETT of Orono

Six members of the same Committee on the same subject matter reported in Report "B" that the same Ought to Pass as amended by Committee Amendment "A" (H-377).

Signed:

Senator:

SHUTE of Waldo

Representatives:

BROWN of Gorham

DUDLEY of Enfield

DELLERT of Gardiner

STOVER of West Bath

McSWEENEY of Old Orchard Beach (Senator Cote of Androscoggin Abstained)

Comes from the House, Report "B" Read and Accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A" (H-377).

Which Reports were Read.

The PRESIDENT pro-tem: The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator KATZ: Mr. President, I would pre-

sume that the Senator from Waldo, Senator Shute is going to be moving the Ought to Pass Report. The purpose for my rising is the hope that we may dispose of this, this morning and debate it to whatever extent it is necessary during this morning's session.

The PRESIDENT pro-tem: The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: Mr. President, I move Acceptance of Report "B" the Ought to Pass Report.

The PRESIDENT pro-tem: The Senator from Waldo, Senator Shute, moves Acceptance of Committee Report "B".

The Chair recognizes the Senator from York, Senator Farley.

Senator FARLEY: Mr. President, and Members of the Senate: This is all I would like to say, that no one of the Committee of Legal Affairs supports the present situation in regard to Games of Chance in the State of Maine.

But I think there is another bill we have in Committee that I think approaches the problem with a lot more responsible method. The bill you have before you has a price tag of about \$300,000. The one coming out of Committee, well, I think one report anyway would bring the State of Maine somewhere over \$1,500,000. I think that's the money the State needs, I think the problem we have with the Game of Chance could be approached a lot better. We understand the problem, and as I said earlier nobody in the committee is happy with the present situation.

I hope you would defeat the pending motion and put this bill to rest and wait for a more sensible approach to the whole problem, that's the bill coming out of Committee sometime this week.

The PRESIDENT pro-tem: The Chair recognizes the Senator from York, Senator Danton.

Senator DANTON: Mr. President, and Members of the Senate: We today are faced with a very serious vote. It's one that I'm going to support to do away with these gambling machines.

Back when gambling machines first were allowed, I was a member of the Legal Affairs Committee. At that particular time, it was said to us on that committee that we need these machines for a source of revenue. We aren't getting the attendance at our club meetings any longer, and you know it makes sense.

I belong to many organizations, Veterans groups, and civic groups, and it's true. After World War II, many Veterans came home and they got involved in buying club houses, and meeting places. The attendance was there, and we'd attend meetings. It was easy to take and have fund raisers and meet your obligations. Then as television came along, we started staying home more and therefore, the attendance kept going down and these clubs did run into a problem. In that they couldn't raise the money and we all know that the banks, at least I know the banks have been very lenient with the mortgages, and many of them still have mortgages. They were having trouble meeting their obligations.

But that isn't what happened with that bill, unfortunately. Today we find these gambling machines that we thought were going to be used on premise, and by members only and it's too bad now that I think back that we didn't put those 2 little items on that bill to be used on premise, and for organizations that have been in existence for 20 or 25 years or longer. Instead what do we have? We have a bunch of these non-profit organizations and any 3 of us can get together and we can get anything we want together, the Senate Club or anything else and go down and get a bunch of machines, and start taking in money. There's been a lot of money that's been taken in.

Not only did it stop there, with a few non-profit organizations, that had their own places where they operated these machines, but they started renting spaces, in barrooms, in pubs, in

lounches, in Class "A" taverns, and that's where the kicker really comes in.

People now don't only go in to drink, but they go in to gamble, and it's become a big business. We're talking somewhere around \$17,000,000 a year that's taken out of this State. Now when you stop and think of \$17,000,000 taken out of the State of Maine in gambling, that's a lot of money. When you stop and think of horse racing, you know, I heard the debate down in the other body. Someone mentioned horse racing. You know, I heard the debate down in the other body. Someone mentioned horse racing. You know, we have horse racing in the State of Maine almost year around, except for a few weeks during the middle of the winter. That's \$900,000 that the State realizes. Most of that money goes into their prizes. Now the question does arise, well, you know people can lose a lot more money playing the horses. Maybe they can, I'm not going to argue that point.

The Lottery's \$1,500,000 a year. Now what's happened with these machines? Here's what's happened. I told you they'd gone into lounches, into pubs, into taverns, into restaurants, and into variety stores. Now some of these variety stores, these Mom and Pop Stores, they have the gambling machines on one wall, the Pornography on the other wall, and 13, 14 year old kids playing the machines, winning, buying the pornography, going out and molesting young girls. Then he ends up down at the Boys' Training Center with some of the better crooks, and they come out and they start ripping off cars, T. V.'s, breaking into summer camps, and what have you, doing all kinds of damage. The next stop is Thomaston. Then we have the warden down here wanting \$20 and \$30,000,000 to build a larger prison.

Well I can't remember when the Legislature passed allowing for restaurants to have beer. I'm sure someone right in this Chamber perhaps made a pretty good argument that, listen! The restaurants' owners have to have beer, because without beer they just can't make it. And in it's wisdom the Legislature voted to give them beer, and I might admit right here to you that I probably would have voted that way.

It wasn't much longer after that, and we can't operate until 12 o'clock, we have to go til 1 o'clock in the morning. Well, we did that too. Then they said we need cocktails, we need liquor in the restaurants. Well, we did that too, we gave them liquor. Then they came back and they wanted Sunday Sales. They got that too.

Now I have a lot of these people calling me up, telling me that, hey, Pete, don't take the gambling machines away from us. We just can't make it without the gambling machines. Well, you know, what are they going to want next? Prostitutes, homosexuals. Let me tell you my fellow Senators, the time has come for us to say no. It's too bad there are a lot of good people in this business, and the original intent of the law was good, the way that committee originally intended it to be. There's some members in this Body today, that were on that committee with me when we passed this bill.

But that's what it isn't doing today. It's just gone real bad. It's gone bad even in families. Do you know even in my own family, where we have a number of operations, you know some members of my family say, why should we be in the kitchen sweating over a hot stove, trying to earn a dollar when all the guy's got to do is open up a casino with a few machines and he walks off with all the coins. That's the truth.

Now I know there's another bill coming along. That other bill can take and address the problem for the good people. What this bill does is one thing, if it can stay alive, I don't know, I have my doubts whether it can or not.

I have seen what the vote was down in the other body. You all did. What it was the first day, and what the vote was yesterday. But I would hope that this Senate, that this Senate today would vote to do away with these ma-

chines. Because let me tell you this, then I'm going to finish up. Let me tell you this. Right now you have 2 types of people in this business. You have the good businessmen wearing the 3 piece suits, and you have the thug. That's what you have in this business.

If by some chance, and I hope not, we say let's keep the machines, I'll tell you the thugs coming into this State and that's when the problems are going to begin. I can remember as a young man, 30 years ago, when I first went to Florida. Gambling was wide open. You could go in front of a church and they'd have a one-armed bandit. You could go into a grocery store and they'd have a one-armed bandit. Gambling casinos, in '52 they decided to do away with it. 2 years ago they lobbied the Florida Legislature trying to legalize gambling again and they defeated it, 3 weeks ago in Dade County, Dade County where Miami is, they tried to legalize gambling, and the citizens of Dade County defeated it.

Now there must be something wrong in the State of Maine when the Wall Street Journal writes about our gambling. Let's stop kidding ourselves. There's a lot of gambling going on here. Now I know some of you are being pressured by different organizations. Well I belong to all of them. In fact, I probably belong to more organizations than a lot of guys and gals that are in this room. That doesn't bother me in the least. When election time comes, you know I've said for the last 4 terms, that I wasn't running again. I think I'll be on that ballot, and you know, let those 3 guys that have their hand in the cookie jar go out and defeat me if they want, that doesn't bother me in the least. So just let me tell you this, my fellow Senators, the time has come for us to take a stand. Let's vote to do away with these machines. There's another bill coming along. We can tighten up the gambling laws, and let's keep the State of Maine the way we like it. Thank you very much.

The PRESIDENT pro tem: The Chair recognizes the Senator from Penobscot, Senator Pray.

Senator PRAY: Thank you, Mr. President, Mr. President, and Members of the Senate: I just learned from the good Senator from York Senator Danton, that gambling is the reason the crime rate has increased, the reason we have pornography, the reason we have prostitution, and the fact that the family unit in the State of Maine is not what it was 20 years ago. Either that or it was television, I wasn't sure which.

I agree with many of the remarks the good Senator made. The concerns of the original intent of the Legislation when it passed, but I'm also concerned as I think back to my younger school days when the teacher was writing on the blackboard, and somebody probably threw something at the teacher and turned around and said who threw something at the teacher and turned around and said, "Who threw that?" Nobody said anything. So the teacher said, "all right, all of you, every one of you are going to be punished for that." I don't care if you were the good child in class or you were the bad one that threw the chalk or threw whatever you threw.

Basically the intent of this legislation is to do that same thing. Say we don't care if you're one of the good guys or one of the bad guys that the Senator from York referred to. We don't care as to what you use your funds for, or how you run your clubs, or whether or not if you're out on a tavern or where you're at, if you're out on the streets or the sidewalks or if you are only allowing your club members, as he said, the original intent was for.

I belong to a number of social organizations in my community, the Veterans, the Legion, the Elks, and so on, and all these clubs have machines, and they're all on premise. None of them have any off-premise at the local county fairs, or anything else. That money is returned

back to the community and charitable organizations, and charitable donations. I see nothing wrong with them doing that.

To eliminate those machines, to say we're going to stop gambling is also erroneous. I'm sure that many of you are aware that almost any community in this State probably has a poker game going somewhere, some evening. Those individuals, if they're not playing a so-called one-armed bandit, they might be out there playing poker, and nobody gets anything out of it, except for the guy that's the winner. I'm sure if at the local club they were playing poker, whoever won the money that night doesn't go out and stop by the bartender, and say, here's 10% of what I made. Throw it into charitable organizations.

I think if we're addressing the situation as gambling, and this is going to solve it or stop it, then we're really misleading ourselves and the general public when we state that we're going to prevent gambling from going on in the State.

I think that there is a better method to take than the one that is before us. If this bill does survive today, I for one would be willing to offer an amendment to get into the original intent of the Legislation as it originally passed as the Senator from York, Senator Danton pointed out. Also with the understanding that there is another bill in Committee. Thank you.

The PRESIDENT pro tem: The Chair recognizes the Senator from Cumberland, Senator Conley.

Senator CONLEY: Mr. President and Members of the Senate: I want to stand here this morning and support the evidence of my worthy colleague, the good Senator from York, Senator Danton.

By some quirk, the State has become as the Governor termed it in his address to the Joint Session, "a gambling casino." Only yesterday, I learned to show how proliferated the State has become with these one-armed bandits, only yesterday I learned that the City Clerk of my community had an application to allow 2 spots to be put in a corner bar up in one of the neighborhoods. She looked over on the reverse side to see what charitable organization it was that was sponsoring these 2 machines, only to find out it was the Volunteer Fire Department of Scarborough.

Now perhaps you may get some up in Aroostook County, Mr. President, from the Volunteer Fire Department in Scarborough, or maybe there'll be some other worthy charitable non-profit organization would like to have machines put in your communities. These are the biggest rip-offs that have ever infiltrated our State.

Many of us have taken great, great pride, not only serving in this Body, but the fact that many of us, are native born citizens of this State, and idolize what we have here. It took the good Senator from Penobscot, Senator Trotzky, to come in and clean up one of our major rivers, because we let it go on and on and on. We take pride in the fact that our rivers and our streams have returned to their natural beauty. We take pride in the fact that we took all the billboards down on the highways from one end of the State to the other, or at least that Legislation is pending and is going to happen, and we all support that. We take pride in the fact that we spend millions of dollars to provide our kids a decent education, and we're all proud of that. But because of the fact that one error was made in a gambling bill that came before a previous Legislature, we now have this proliferation and who knows what's behind them and who's behind them, just passing these things out all over the State. If you want to see something real nice, go to Old Orchard Beach in the summer time. Listen to some of the Canadian visitors who come up, and talk about how they gave their child \$5 to go down the street, only to have them stop at the first restaurant to find a slot machine, and find it exciting and entertaining and drop the \$5 into

the machine.

Clean up this mess! Send these guys back to wherever they came from, so that once again we can have the community and the State that we love and that we enjoy and that we know that these hustlers are not walking off with the millions of dollars that could be saved and used for better things.

The PRESIDENT pro tem: The Chair recognizes the Senator from York, Senator Hichens.

Senator HICHENS: Mr. President and Members of the Senate: I continue to be amazed by my good colleague from York, Senator Danton. Last week I stood up and said that it was a pleasure to hear him speak, this morning his words are like music to my ear.

I think he has explained the whole thing and we could all sit down now, and take his advice with the knowledge that he has given us and all vote the right way.

In his speech he mentioned that these people were not making enough money, they wanted ways to get more money. It brings to mind a passage from the Bible, which says "The Love of Money is the Root of All Evil." I think that we have a very good example of that today.

We have also had references this morning that there is another bill that is going to follow this one, which puts a bandaid on the problem.

This last week we were talking about the use of marijuana, as a relief for people who have cancer. I have had a great many people, doctors tell me that when they operate, if they can get to the root of the cancerous source they can take care of the problem, but if they have to keep working along with it gradually the cancer is going to take control. We have a good example with our gambling machines, if we keep bandaiding the problem we are going to have to keep growing until it gets completely out of control.

I was quoted in the other body the other day, on a statement that I made 12 years ago regarding Sunday Horse Races. The person who quoted me, made the statement that I said that if Sunday Horse Racing came into the State of Maine that the Mafia would come right behind it, and he sort of ridiculed me. Well, I can tell you today that the Mafia is still engaged in our Horse Racing business in the State of Maine. The Mafia is very active in our gambling machines in the State of Maine. So let's stop it right now, and take the good advice of our Senator from York, Senator Danton and let's pass this bill right now and kill this gambling in and about the state.

The PRESIDENT pro tem: Is the Senate ready for the question?

The Chair recognizes the Senator from York, Senator Farley.

Senator FARLEY: Mr. President and Members of the Senate: I will be very brief here, first of all, the Bill before you doesn't address half of the problem with gambling in the State of Maine. This Bill here merely disallows the slot machine, you will still have the wheels, the card games and there is nothing you can check on the card games, no way. They are entitled to a 25¢ rake off, everytime that they put down 5 or 6 cards. There is no accountability there at all. Now there is one place at Old Orchard last year that these card tables brought in over \$300,000 alone at this one establishment. Who knows how much they made, they reported that they made nothing but the license, that is all that they had to pay on, and make a report out.

That is going to be left wide open and I am concerned about that more than I am the slot machines. You have a dial on a slot machine, you can put a seal on it and check it. You do not know how much when your back is turned, how many card games can be dealt out in an hour's time. I can give you a figure, we had the same thing at a parish fair about 2 years ago, two nights on one table and it was not professional dealers \$500 in two nights, on a part-time, can you imagine at Old Orchard Beach where they have 6 or 7 in one place, and this Bill does not

even address it.

Now couldn't we just discuss gambling for just a minute. Four or five years ago, the State of New York went into Off Track Betting. Last year they netted \$56,000,000 from Off Track Betting. Would you believe that prior to that there was no Off Track Betting, what do you think the bookie made then?

Now you can find a place to play cards, dice, or walk into a pool hall or someplace there is a pool table, and you get hustled, it is still gambling and this Bill does not address it, none of those problems.

The PRESIDENT pro tem: The Chair recognizes the Senator from Penobscot, Senator Pray.

Senator PRAY: Mr. President, as I listened to the remarks of Senator Hichens referring to the good Senator from York, Senator Danton, I think Senator Katz, the Senator from Kennebec, kind of hit it on the head the other day, you know that after an illness, sometimes people go through a traumatic change, and I for one have also seen that take place since his return to this Chamber. The other day he stood up and stated that he was in favor of prohibition.

If we look back at prohibition periods that was when we had the defects in the country, that was when the criminals were making the profit. My Majority Floor Leader, referred to the actions of the Senator from Penobscot, Senator Trotzky in protecting the rivers that we have. But sometimes we fail to look at what we got in exchange. Now we have thousands and thousands of scars throughout the Maine wilderness, with roads that have taken the place of those rivers. We literally have hundreds and hundreds of trucks, burning thousands of gallons of fuel and pumping the poison exhaust into the air. It was a good exchange I guess, sometimes it depends on how you evaluate what it is that we are getting in place of what we have.

There is none of us here, on either side of the issue today, as the good Senator from York, Senator Farley points out that does not recognize that there is a problem there. We want to take care of that problem, but to ban it and say that we have taken care of it is kind of like the drinking bill that we have had here to raise the drinking age, on teenagers. If we raise the age we have solved the problem. We have raised the drinking age, and I have not seen any legislation going through the session to take care of the problems of alcohol in high schools, it is still there.

Gambling will still exist, the question is as to what type of control will we have on it? To pass this legislation, I think, would be erroneous for us to feel that we have solved that total problem. I think that the remarks of the Senator from Cumberland, Senator Conley, was rather a very broad stroke of the brush, saying that this will solve the problem. To do so we only put it further into the background and the problem continues.

Let's look at the positive side of the situation, and the original intent and let's try to improve on that original intent and address the problem in its proper scope.

The PRESIDENT pro tem: Is the Senate ready for the question?

The Chair recognizes the Senator from Oxford, Senator Sutton.

Senator SUTTON: Mr. President and Ladies and Gentlemen of the Senate: I had not intended to talk about this, but I am getting a little nervous. The good Senator from York, Senator Danton, said one thing that started me getting nervous and that was that he was a little concerned about whether this Bill would pass or not.

Then as I listened to some of the discussion, I am starting to get a little nervous. I think that there has been a lot of muddying of the water here, the question before us is whether we want slot machines in Maine or not. Never mind the good guys and the bad guys, never mind gam-

bling in total, let's just talk about slot machines. I would just like all of the folks in the Senate to know I think that slot machines are bad, and I think that we ought to pass this Bill.

The PRESIDENT pro tem: The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: Mr. President and Members of the Senate: I would wholeheartedly agree with the remarks made by the good Senator from York, Senator Danton, on this Bill.

We do have another Bill in Committee, the Pierce Bill, but I do not see how you can correct a loophole law with a loophole Bill. That is what the Pierce Bill does, this Bill takes care of the problem.

Right now we have over 400 of these slot machines, in the State, and 142 of these slot machines, are off premise machines. Like downtown at "Millers Thumb" or wherever you might go, there is one in the corner.

I think that it might be well to read you some of the new applications they have in the State Police Barracks. I was over there this morning getting information on this Bill. They have 28 new applications pending right now, and some of these that I didn't really recognize the organizations:

- Mu Sigma Chi Organization wants one;
- the Maine Divers Alumni Association wants one;
- the Lewiston-Auburn Traveling Team wants one;
- the National Consumer Union wants one;
- the Maine Merchants Semi-professional Baseball Association wants one;
- the Maine Society for the Preservation of Cultural Expressions wants one;
- the Youth in Action wants one;
- the Elliot Avenue Playground (children) wants one;
- the Pathfinders Snowmobile Club wants one;
- the Quansigamog Handtub Association wants one;

These are some of the good reputable, charitable organizations that are springing up that want the machines.

The reason that they want the machines is the people distributing the machines make a fairly good dollar on them. They get 25% of the money for maintenance costs. They get 25% for being the distributor. The organization that has the machine gets 25% and charity is supposed to get 25%. Now as I understand it there isn't much maintenance on these machines. You take the 3 machines in Portland, for one organization they took in around \$220,000 last year, and they had to pay out 17 or 18 thousand dollars maintenance costs on those machines. The machines only cost \$3,500 to \$5,000. Why wouldn't it be better instead of having the maintenance contract with the distributor to buy three or four or five or ten extra machines. You would not need the maintenance costs, but the way that the contract is set up you have to have the maintenance costs if you buy the machine and that maintenance cost goes on forever and ever and ever even after the machine is paid for, it still goes on. So you cannot get out of your maintenance contract with the distributor he is going to get his 25% no matter what he does to that machine or nothing to the machine.

A few years ago, we passed a law that allowed these machines in the on-premise organizations, and the distributors, the gamblers were not satisfied with that, they had to go to off premise. They found a loophole in the law, and then came back and laughed at the Legislature, that there is a loophole in the law, we can put them off premise if we want.

So there has been quite a proliferation of these gambling machines in the State, and I do not have a great deal of hope that this Bill is going to pass. I saw what the vote was down in the other body the first time that it went around. It was, I think, 13 votes and the second time that it went around it was a tie vote and then it wound up as a 1 vote margin. It really should, because we have at least 6 of the high-

est paid lobbyists in the State on this 1 Bill, six of the best ones too, all over the state, so somewhere there is some money in these gambling machines.

They're in the newspapers everywhere, this newspaper editorial here, "Topless no-no, but top pay go-go in Old Orchard Beach," or "Slot Machines proliferate in State", "Vegas East in Maine", "Legalized Gambling Nets Millions and Millions in Maine." These aren't just from Maine newspapers. Some of these came from Florida and New York. I have an article, I didn't bring it with me, at home, but in the article it said there was no need to go to Las Vegas, or New Jersey to do your gambling you could do it right in the State of Maine. It was wide open, it was going on quietly, no objections from anyone.

This year I have heard some objections. I heard in the Governor's message this year, that he wanted to do away with the games, the Games of Chance. He didn't want to put a band-aid on the problem. He wanted to do away with them, and that's what we should do. If you want to do something, do away with the gaming machines. If you're against doing anything, wait and vote for the Pierce Bill and we can put some more loopholes in the loophole law we have over here.

The PRESIDENT pro tem: Is the Senate ready for the question?

The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator KATZ: Mr. President, about an hour ago, I said that I hoped that we would debate this, this morning but I did not necessarily mean every Member of the Senate. I thought the Senate might be interested to know of a change in schedule as we debate this bill. We will continue debating until we have disposed of this. It is my understanding that there is one Joint Order which was tabled later which will be taken up. Then the Senate will adjourn for the Day.

We understand from the other end of the corridor that there are a very significant number of committees that have work sessions planned this morning, which means that we will come in at 9 o'clock tomorrow morning, and work straight through until we finish our calendar and that could be as much as 3 or 4 hours. I regret this last minute change, but because of the sacrifice we are making by giving up part of our session this morning, I certainly would hope all the committees would make an attempt to get together and use the time advantageously.

(Off Record Remarks)

The PRESIDENT pro tem: The Chair recognizes the Senator from York, Senator Lovell.

Senator LOVELL: Mr. President and Ladies and Gentlemen of the Senate: I would like to just simply, explain my position on this bill. I don't mind the physical loss of \$54,000,000 for licensing and so on. But as past District Governor of Lions' International I have been contacted by several Lions' Clubs and my Sanford Lions' Club, in particular. Most Lions' Clubs don't have Club Houses. The Sanford Lions Club in particular has donated \$3,500 to help build the new YMCA in Sanford, which is costing \$1,200,000. The \$3,500 they donated, they had \$1,000 in the charity account, which they paid, now the other \$2,500 they're getting from these machines. The machines that they're getting it from is the barroom and restaurant is run by the Past President of the Sanford Lions Club. I'm confident that he is honest, in many cases probably they aren't honest that run the machines.

So in my particular case to help out the club and to help out the YMCA, which is a legitimate donation, I will have to vote Ought Not to Pass on the bill.

The PRESIDENT pro tem: The Chair recognizes the Senator from York, Senator Danton.

Senator DANTON: Mr. President and Members of the Senate: I wasn't planning on getting up to speak again. Maybe the Assistant Minority Leader is right. When someone gets sick, maybe instead of a heart attack, I probably had a brain attack, who knows?

But on this one issue, Mr. President, and Members of the Senate: I want you to know that if we don't ban these machines, and if we don't get them out of this State, and if we don't stop listening to stories like my good friend, and he is my good friend, the good Senator from York, Senator Lovell, has just told us about the good Lions Club has done, I know it's done good. But the Lions Club did good, and good things before they had gambling machines.

I never joined any organization because they had gambling machines. I was always available to them to donate or help out on a project or whatever the case may be.

Now the other good Senator from York, Senator Farley, talked about off-track betting. It's true the State is realizing money. Maybe the bookies were making it all before. The good Senator knows that last summer he went to Atlantic City to explore gambling, the same as other Legislators did. I asked him to do me a favor while he was down there. To stop by the Police Station, and ask about the crime rate. I can't remember whether he said it was 20 or 30% increase on the crime rate. That's the first 30 or 40 days that they were in operation. The Salvation Army had opened up Soup Kitchens, Travellers Aid had opened up an office to get people back home. People would steal cars in New York, drive to Atlantic City, sell them, take the money, go in, gamble, they lose, they come out, steal a car, drive back to New York City. All the used car lots were loaded with cars.

So everybody says Atlantic City. Then they try to compare Maine with Vegas. Now, you know, let's stop kidding ourselves. Vegas is the show city or the show capital of the world. A whole family can go there, the father can go gamble, the children can go see a rock group, and the mother can go see Frank Sinatra, or Dean Martin, or whoever she wants to go see. Not only that, it's right in the middle of the desert, 400 miles from anywhere, and there's only 4 roads in and 4 roads out and an airport. Their police, their own thugs, and the thugs don't hang around there very long, because the minute a con-artist goes into Las Vegas, there's some nice big guy about 6'3", they all look like Superman and they go up and they give him an offer, either get on the plane in about 10 minutes and beat it, or else you won't have to worry about anything. They police themselves. Vegas is a very, very safe place.

Now let's talk about Old Orchard Beach, which has been brought up in the debate here. Old Orchard Beach has always been a family beach. I can see that some of my votes up here in the past, they haven't been in the best interest of the Beach. I thought when I voted for these gambling machines a few years ago that it was going to help out the Lions Club or the VFW. My intentions were to help them out. It just didn't work out that way.

They found that loophole, like the good Senator from Waldo, Senator Shute, said. They found that loophole, and you have casinos. You give the kids a \$5 bill and you think anyone's going to ask him if he's 16 or 18 years old before they let him go in and play the machines?

I told you earlier, I had problems with members, you know, I have 6 sisters and a brother. Now that's a pretty big family, when you get into nieces and nephews. I had problems with my own family. They look at these easy-making devices too. I'll tell you if I had my way, I'm getting them in the kitchen. That's where they're going, I went there, didn't do me any harm, it isn't going to do them any harm either. So one thing I'd like this Senate to do, is really pass this bill. I mean pass it by a big

margin, and let's all go down the other end and grab off a few of those members down there and lobby them and let's ban these machines.

The PRESIDENT pro tem: Is the Senate ready for the question?

The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: I request a Roll Call.

The PRESIDENT pro tem: A roll Call has been requested. Under the Constitution, in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

Obviously more than one-fifth having arisen a Roll Call is ordered.

The pending question before the Senate is the Motion by the Senator from Waldo, Senator Shute, that the Senate Accept the Ought to Pass, Report "B".

A Yes vote will be in favor of Acceptance of Report "B".

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA — Carpenter, Chapman, Clark, Collins, Conley, Danton, Devoe, Emerson, Gill, Hichens, Huber, Katz, Lovell, McBreairey, Minikowsky, Najarian, Perkins, Pierce, Redmond, Shute, Silverman, Sutton, Teague, Trafton, Trotzky, Usher, Sewall.

NAY — Ault, Farley, Lovell, Martin, Pray.

ABSENT — Cote, O'Leary.

A Roll Call was had.

26 Senators having voted in the affirmative and 5 Senators in the negative with 2 Senators being absent, the Motion to Accept the Ought to Pass Report "B" in concurrence, does prevail.

The Bill Read Once.

Committee Amendment "A" Read and Adopted, in concurrence.

The PRESIDENT pro tem: The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator KATZ: Under Suspension of the Rules, I move this Bill be given it's second reading at this time.

The PRESIDENT pro tem: The Senator from Kennebec, Senator Katz, moves that the Rules be Suspended, and L. D. 833 be given it's second reading at this time.

Is this the pleasure of the Senate?

It is a vote.

The Bill was Read a Second Time, and the Bill, Passed to be Engrossed, as amended, in concurrence.

On Motion by Senator Perkins of Hancock, the Senate voted to take from the Table:

An Expression of Legislative Sentiment recognizing that:

The drama group of George Stevens Academy of Blue Hill, directed by Robert Marshall, was the winner in all classes of the Maine State Drama Festival (S. P. 557)

Which was Read.

The PRESIDENT pro tem: The Chair recognizes the Senator from Hancock, Senator Perkins.

Senator PERKINS: Mr. President and Ladies and Gentlemen of the Senate: I have the honor today to present the drama group from George Stevens Academy, while many of us have the honor to bring in people of athletic accomplishments and of other accomplishments. I think it is an unusual tribute we pay to these young people today. Because while members of athletics teams have to come in designated sizes in order to be effective and have to be of different sizes and stature, people of the drama era do not have to come of designated sizes and as long as it's a team effort this is what counts. I think this is what we're here today paying tribute to.

I ask you to honor a group from George Ste-