

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Fourth Legislature

State of Maine

Daily Edition

First Regular Session
December 3, 2008 to June 12, 2009

Pages 1 - 1159

An Act To Amend Sentinel Events Reporting Laws To Reduce Medical Errors and Improve Patient Safety

S.P. 519 L.D. 1435
(C "A" S-248)

An Act To Amend the Maine Clean Election Act and the Enforcement Procedures of the Commission on Governmental Ethics and Election Practices

S.P. 536 L.D. 1451
(C "A" S-242)

An Act To Modify Child Support Enforcement Procedures and Requirements

S.P. 543 L.D. 1459
(C "A" S-241)

An Act Concerning Debarment from Contracts with the Department of Environmental Protection

S.P. 548 L.D. 1471
(C "A" S-239)

PASSED TO BE ENACTED and having been signed by the President were presented by the Secretary to the Governor for his approval.

Out of order and under suspension of the Rules, the Senate considered the following:

ENACTORS

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

Resolve

Resolve, Authorizing the Joint Standing Committee on Legal and Veterans Affairs To Report Out Legislation Regarding the Expansion of Slot Machine and Casino-style Gambling

H.P. 378 L.D. 533
(C "A" H-391)

On motion by Senator **BARTLETT** of Cumberland, placed on the **SPECIAL STUDY TABLE**, pending **FINAL PASSAGE**, in concurrence.

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

HOUSE REPORTS - from the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Allow a Resort Casino in Oxford County"

H.P. 933 L.D. 1329

Majority - **Ought Not to Pass** (8 members)

Minority - **Ought To Pass as Amended by Committee Amendment "A" (H-511)** (5 members)

Tabled - June 3, 2009, by Senator **COURTNEY** of York

Pending - motion by Senator **SULLIVAN** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence

(In House, June 3, 2009, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, June 3, 2009, Reports **READ**.)

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

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Raye.

Senator **RAYE:** Thank you, Madame President. Men and women of the Senate, I rise briefly just to say that I will be supporting the pending motion, the Majority Ought Not to Pass Report. As many of you know who have served in this Body in the past, I have long been an advocate for the work of the Passamaquoddy tribe to bring a racino to Washington County. We went out to a referendum, went out to the people of Maine, and albeit narrowly, it was defeated. Likewise, there was a referendum for a full-fledged casino in Oxford County that went out to referendum and was defeated. I believe passage of this bill would do a great disservice to our Native Americans who have labored for 15 or 16 years to bring their proposal to fruition. For the Legislature to now circumvent the referendum that was defeated by the people, and to not afford the same consideration to our Native American neighbors, and to my county of Washington, would be patently unfair. So I will be voting in support of the Majority Ought Not to Pass Report.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from York, Senator Sullivan 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 (#155)

YEAS: Senators: ALFOND, BARTLETT, BLISS, BOWMAN, BRANNIGAN, COURTNEY, CRAVEN, DAMON, DAVIS, DIAMOND, GERZOFISKY, GOODALL, MARRACHE, MCCORMICK, MILLS, NUTTING, PERRY, PLOWMAN, RAYE, RECTOR, SCHNEIDER, SHERMAN, SIMPSON, SMITH, SULLIVAN, TRAHAN, THE PRESIDENT - ELIZABETH H. MITCHELL

NAYS: Senators: BRYANT, GOOLEY, HASTINGS, JACKSON, NASS, ROSEN, WESTON

ABSENT: Senator: HOBBS

27 Senators having voted in the affirmative and 7 Senators having voted in the negative, with 1 Senator being absent, the motion by Senator **SULLIVAN** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

An Act To Improve the Maine Clean Election Act
S.P. 445 L.D. 1197
(S "A" S-246 to C "A" S-214)

Tabled - June 3, 2009, by Senator **BARTLETT** of Cumberland

Pending - **ENACTMENT**, in concurrence

(In Senate, May 28, 2009, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-214) AS AMENDED BY SENATE AMENDMENT "A" (S-246)** thereto.)

(In House, June 3, 2009, **PASSED TO BE ENACTED**.)

On motion by Senator **BARTLETT** of Cumberland, **TABLED** until Later in Today's Session, pending **ENACTMENT**, in concurrence.

Senator **BRANNIGAN** of Cumberland was granted unanimous consent to address the Senate off the Record.

Senator **BRYANT** of Oxford was granted unanimous consent to address the Senate off the Record.

Senator **GOOLEY** of Franklin was granted unanimous consent to address the Senate off the Record.

Senator **JACKSON** of Aroostook was granted unanimous consent to address the Senate off the Record.

Senator **SCHNEIDER** of Penobscot was granted unanimous consent to address the Senate off the Record.

Senator **RAYE** of Washington was granted unanimous consent to address the Senate off the Record.

Senator **BARTLETT** of Cumberland was granted unanimous consent to address the Senate off the Record.

On motion by Senator **BARTLETT** of Cumberland, **RECESSED** until 2:00 in the afternoon.

After Recess

Senate called to order by the President.

The Chair removed from the **SPECIAL STUDY TABLE** the following:

Emergency

Resolve, Directing the ConnectME Authority To Create the Broadband Strategy Council

H.P. 700 L.D. 1012
(C "A" H-229)

Tabled - May 19, 2009, by Senator **BARTLETT** of Cumberland

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, May 13, 2009, **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.)

(In House, May 18, 2009, **FINALLY PASSED**.)

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with no Senators having voted in the negative, and 29 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Off Record Remarks