

# 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 scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

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

**Volume III**

**Second Regular Session**

April 7, 2006 - May 24, 2006

**Appendix**  
**House Legislative Sentiments**  
**Index**

Pages 1488-2248

**ROLL CALL NO. 579**

YEA - Adams, Ash, Babbidge, Beaudette, Blanchard, Blanchette, Bliss, Brannigan, Brautigam, Bryant, Burns, Cain, Canavan, Clark, Craven, Cummings, Driscoll, Duchesne, Dudley, Dugay, Dunn, Duplessie, Eberle, Eder, Faircloth, Farrington, Finch, Fischer, Fisher, Gerzofsky, Goldman, Grose, Hanley S, Harlow, Hogan, Hutton, Jackson, Jennings, Koffman, Lerman, Lundeen, Makas, Marley, Marraché, Mazurek, Miller, Mills, Moody, Norton, O'Brien, Paradis, Patrick, Percy, Perry, Pilon, Pineau, Pingree, Piotti, Rines, Sampson, Schatz, Simpson, Smith N, Smith W, Thompson, Tuttle, Valentino, Walcott, Watson, Webster, Wheeler, Woodbury, Mr. Speaker.

NAY - Annis, Austin, Berube, Bierman, Bishop, Bowen, Bowles, Brown R, Browne W, Bryant-Deschenes, Campbell, Carr, Cebra, Churchill, Clough, Collins, Cressey, Crosthwaite, Curley, Curtis, Daigle, Davis G, Davis K, Duprey, Edgecomb, Fitts, Fletcher, Flood, Glynn, Greeley, Hall, Hamper, Hanley B, Hotham, Jacobsen, Jodrey, Joy, Lansley, Lewin, Lindell, Marean, McCormick, McKane, McKenney, McLeod, Merrill, Millett, Moulton, Muse, Nass, Nutting, Ott, Pinkham, Plummer, Rector, Richardson D, Richardson E, Richardson M, Richardson W, Robinson, Rosen, Saviello, Seavey, Sherman, Shields, Sykes, Tardy, Thomas, Trahan, Twomey, Vaughan.

ABSENT - Barstow, Crosby, Emery, Kaelin, McFadden, Moore G, Stedman.

Yes, 73; No, 71; Absent, 7; Excused, 0.

73 having voted in the affirmative and 71 voted in the negative, with 7 being absent, and accordingly the House **RECONSIDERED** its action whereby the Bill **FAILED PASSAGE TO BE ENACTED**.

Representative **TRAHAN** of Waldoboro **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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 Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 580**

YEA - Adams, Babbidge, Beaudette, Blanchard, Bliss, Brannigan, Brautigam, Bryant, Burns, Cain, Craven, Cummings, Driscoll, Duchesne, Dudley, Dunn, Duplessie, Eberle, Eder, Faircloth, Farrington, Finch, Fisher, Goldman, Grose, Harlow, Hogan, Hutton, Jackson, Koffman, Lerman, Lundeen, Marley, Mazurek, Miller, Mills, Moody, Patrick, Percy, Perry, Pilon, Pineau, Pingree, Piotti, Rines, Sampson, Schatz, Simpson, Smith W, Thompson, Tuttle, Valentino, Walcott, Watson, Webster, Wheeler, Woodbury, Mr. Speaker.

NAY - Annis, Ash, Austin, Berube, Bierman, Bishop, Blanchette, Bowen, Bowles, Brown R, Browne W, Bryant-Deschenes, Campbell, Canavan, Carr, Cebra, Churchill, Clark, Clough, Collins, Cressey, Crosthwaite, Curley, Curtis, Daigle, Davis G, Davis K, Dugay, Duprey, Edgecomb, Fischer, Fitts, Fletcher, Flood, Gerzofsky, Glynn, Greeley, Hall, Hamper, Hanley B, Hanley S, Hotham, Jacobsen, Jennings, Jodrey, Joy, Lansley, Lewin, Lindell, Makas, Marean, Marraché, McCormick, McKane, McKenney, McLeod, Merrill, Millett, Moulton, Muse, Nass, Norton, Nutting, O'Brien, Ott, Paradis, Pinkham, Plummer, Rector, Richardson D, Richardson E, Richardson M, Richardson W, Robinson, Rosen, Saviello, Seavey, Sherman, Shields, Sykes, Tardy, Thomas, Trahan, Twomey, Vaughan.

ABSENT - Barstow, Crosby, Emery, Kaelin, McFadden, Moore G, Smith N, Stedman.

Yes, 58; No, 85; Absent, 8; Excused, 0.

58 having voted in the affirmative and 85 voted in the negative, with 8 being absent, and accordingly the Bill **FAILED PASSAGE TO BE ENACTED** and was sent to the Senate.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

Bill "An Act To Increase Access to Health Insurance Products"

(H.P. 1285) (L.D. 1845)

TABLED - May 23, 2006 (Till Later Today) by Representative **CUMMINGS** of Portland.

PENDING - Motion of same Representative to **RECONSIDER** whereby Committee Amendment "A" (H-1012) **FAILED ADOPTION**.

The **SPEAKER**: The Chair recognizes the Representative from Waldoboro, Representative **Trahan**.

Representative **TRAHAN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. In reflection of the action we took on this bill yesterday, I would ask for a ruling from the Chair if the reconsideration motion is properly before the House and I'd like to explain why I ask that question. There was a motion made by the Representative from Portland, Representative **Cummings** to reconsider and to further table this item. I don't believe that we can make two motions in the same motion. There was no action taken on the reconsideration motion, so I believe that the current bill before us is not in order.

The **SPEAKER**: The answer is that it is properly before the us. You can make the two motions. He made the motion to table pending reconsideration. So, as a result of that, we have, before us, a reconsideration, which has not yet occurred, but is sitting on the table for our consideration. He first made the motion to reconsider and then made the motion to table pending reconsideration thereby keeping the matter before us. The motion then for tabling was, a roll call was established, then the tabling motion was upheld. Now it puts us in the posture of reconsideration. The Chair recognizes the Representative from Waldoboro, Representative **Trahan**.

Representative **TRAHAN**: Thank you Mr. Speaker. Mr. Speaker, according to Mason's, Section 473, a vote to reconsider is required and so I believe the action to go on to a tabling motion, we hadn't yet acted because you didn't gavel the reconsideration or we didn't vote on it. We went then to the tabling motion. There was no action taken to reconsider.

Representative **TRAHAN** of Waldoboro asked the chair to **RULE** if the Bill was properly before the body.

The **SPEAKER**: There was a motion to table pending reconsideration thereby allowing reconsideration to remain after the tabling motion prevailed. It's no different than if somebody got up and said, "I move to reconsider," and then you got up, for instance, Representative **Trahan** and said, "I move to table." There's no difference between what Representative **Cummings** did and what I just described. So, the answer is, it is properly before us at this time.

Subsequently, the Chair **RULED** the Bill was properly before the body.

Representative **LINDELL** of Frankfort **REQUESTED** a roll call on the motion to **RECONSIDER** whereby **Committee Amendment "A" (H-1012) FAILED ADOPTION**.

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 Frankfort, Representative Lindell.

Representative **LINDELL**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. Barely 12 hours ago we had this same item before us. In a bipartisan vote, we defeated this Majority report. This ill-conceived, muddleheaded, ideologically driven, irresponsible and dangerous proposal to strip health insurance from 10,000 individuals who have a commercial health insurance product within the DirigoChoice plan. LD 1845 is no different now than it was 12 hours ago Mr. Speaker. Now, as 12 hours ago, this proposal would terminate the insurance and set up a trust with unlimited potential liabilities and a very limited funding mechanism. It would permit an unregulated, unlicensed...

Representative **DAIGLE**: Point of order!

The **SPEAKER**: Would the Representative defer for a moment? The Chair recognizes the Representative from Arundel, Representative Daigle. The Representative may state his point of order.

Representative **DAIGLE**: The matter before the body is a roll call on whether to reconsider or not the merits or other aspects of the bill.

On **POINT OF ORDER**, Representative **DAIGLE** of Arundel asked the Chair if the remarks of Representative **LINDELL** of Frankfort were germane to the pending question.

The **SPEAKER**: The Representative is correct. The motion is to reconsider, the merits of whether to reconsider or not. It's not an argument of the bill itself. So, I would suggest to the Representative his remarks remain on the merits as to why we should or should not reconsider. The Representative may continue.

The Chair reminded Representative **LINDELL** of Frankfort to stay as close as possible to the pending question.

Representative **LINDELL**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. My point is Mr. Speaker that the motion to reconsider is to reconsider a bill that we've already rejected, and properly rejected, for a number of very good reasons, because it is a very dangerous proposal. We should not be reconsidering this proposal. If we open this up for reconsideration heaven knows we might change our minds and that, Mr. Speaker, could be disastrous and particularly disastrous for the 10,000 individuals who have a real commercial health insurance product through DirigoChoice who might suffer the consequence of having that real health insurance product replaced with this ill-conceived, poorly thought out, poorly planned and dangerous proposal. Thank you Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Arundel, Representative Daigle.

Representative **DAIGLE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I just wish to follow up my objection of a moment earlier to make a point about the motion to reconsider, previous motions to reconsider and any future motions to reconsider. I think there's nothing wrong and nothing inappropriate for making a perfectly legitimate parliamentary maneuver. Sometimes I wish I was doing it more often on my side, but in the interest of getting along with everybody and recognizing that, frankly, we can bring things up for a vote as many times as the process will allow and ultimately it's who's in their seat. I appreciate, and even, in fact, encourage we follow this very elegant process that allows us to make these steps. I will, therefore, be voting in favor of reconsideration and perhaps we won't need to do this any further.

The **SPEAKER**: The Chair recognizes the Representative from Turner, Representative Bryant-Deschenes.

Representative **BRYANT-DESCHENES**: Mr. Speaker, may I pose a question through the Chair?

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

Representative **BRYANT-DESCHENES**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. May I ask a question to the Chair about whether the motion is properly before us at this point?

The **SPEAKER**: The Chair has ruled that on the motion. Will you restate your request Representative, I can't hear.

Representative **BRYANT-DESCHENES**: I want to make sure I understand what you told us when you made your ruling.

The **SPEAKER**: The question by Representative Trahan from Waldoboro was whether this is properly before the body. The answer is, the Chair ruled in the affirmative. The decision was not debated so, therefore we have to move on. The Chair recognizes the Representative from Turner, Representative Bryant-Deschenes.

Representative **BRYANT-DESCHENES**: I understood from your example you said there were two motions and in listening to the discussion last night, it was made in one sentence. I did not consider that was two motions. He made them all together.

The **SPEAKER**: Representative, the decision has been made with respect to the Chair's ruling. The Chair recognizes the Representative from Waldoboro, Representative Trahan.

Representative **TRAHAN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I'd like to speak to the reconsideration motion and why I will be objecting to these reconsideration motions as they come about. Yesterday I went to your office, Mr. Speaker, and I asked to submit an amendment and I was told by your staff that I couldn't submit an amendment to expedite the process. But, yet there's a bunch of us in this chamber that have been submitting amendments and they've been allowed. I personally don't believe that is fair. I believe that any deadline on amendments should be universal to everyone in the chamber, not arbitrary. I also believe that this reconsideration motion is keeping us here longer than we should be here. I guess, in an effort to expedite the process I will now be objecting to all these reconsideration motions because they're really just an attempt to get the bill passed when it has been failed. I've really just sort of had enough of it.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is to Reconsider whereby Committee Amendment "A" (H-1012) failed Adoption. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 581**

**YEA** - Adams, Ash, Babbidge, Barstow, Beaudette, Blanchard, Blanchette, Bliss, Brannigan, Brautigam, Bryant, Burns, Cain, Canavan, Clark, Craven, Cummings, Daigle, Driscoll, Duchesne, Dudley, Dunn, Duplessie, Eberle, Eder, Faircloth, Farrington, Finch, Fischer, Fisher, Gerzofsky, Goldman, Greeley, Grose, Hanley S, Harlow, Hogan, Hutton, Jackson, Jennings, Joy, Koffman, Lerman, Lundeen, Makas, Marley, Marraché, Mazurek, Miller, Moody, Norton, O'Brien, Paradis, Patrick, Perry, Pilon, Pineau, Pingree, Piotti, Richardson D, Richardson E, Rines, Sampson, Schatz, Simpson, Smith W, Thompson, Tuttle, Twomey, Valentino, Walcott, Watson, Webster, Wheeler, Mr. Speaker.

**NAY** - Annis, Austin, Berube, Bierman, Bishop, Bowen, Bowles, Brown R, Browne W, Bryant-Deschenes, Campbell, Carr, Cebra, Churchill, Clough, Collins, Cressey, Crosthwaite, Curley, Curtis, Davis G, Davis K, Duprey, Edgecomb, Fitts, Fletcher, Flood, Glynn, Hall, Hamper, Hanley B, Hotham, Jacobsen, Jodrey, Lansley, Lewin, Lindell, Marean, McCormick, McKane, McKenney, McLeod, Merrill, Millett, Moore G, Moulton, Muse, Nass, Nutting, Ott, Pinkham, Plummer, Rector,

Richardson M, Richardson W, Robinson, Rosen, Saviello, Seavey, Sherman, Shields, Sykes, Tardy, Trahan, Vaughan, Woodbury.

ABSENT - Crosby, Dugay, Emery, Kaelin, McFadden, Mills, Percy, Smith N, Stedman, Thomas.

Yes, 75; No, 66; Absent, 10; Excused, 0.

75 having voted in the affirmative and 66 voted in the negative, with 10 being absent, and accordingly the House **RECONSIDERED** its actions whereby **Committee Amendment "A" (H-1012) FAILED ADOPTION.**

Representative LINDELL of Frankfort **REQUESTED** a roll call on the motion to **ADOPT Committee Amendment "A" (H-1012).**

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 Frankfort, Representative Lindell.

Representative LINDELL: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. The bill we have before us, "An Act to Increase Access to Health Insurance Products," does not do what it's title purports that it does. What this bill does is it sets up a mechanism by which the Dirigo Board of Directors may, without any further legislative approval, establish a self-insured trust fund to provide health coverage to members enrolled in the DirigoChoice product. A self-insured trust fund is not health insurance Mr. Speaker. A self-insured trust fund is a mechanism used by some employers faced with very high health insurance premiums to abandon their health insurance and, instead, self-insure their employees. This is a proposition entered into by an employer with some great measure of risk. Indeed, these self-insured trust funds are very heavily regulated by the Superintendent of Insurance, very heavily regulated. They require that the employer and the employees who make contributions to this trust fund be all directly, jointly and severally liable for the claims upon that trust fund. One big claim can bankrupt the trust fund and can cause unexpected costs to the employer and to the employees themselves. So, here we have the model which proponents of single-payor insurance have decided to follow in order to abandon the public/private partnership which DirigoChoice is based upon, abandon a commercial insurance product which currently covers about 10,000 people and, instead, replace it with this concept. The problem, Mr. Speaker, is that we're not talking about insuring a well defined group of employees who get up in the morning each day, put on their clothes, brush their teeth, drive to work and work a full day or part day and in exchange receive compensation, pay plus health coverage, through one of these self-insured trusts. No, no, what we're talking about here is essentially allowing all comers, whatever their condition, whatever their circumstances, to enroll, to pay a premium and then to make unlimited claims upon that trust. This is a recipe for financial disaster, Mr. Speaker. It is, indeed, a very, very dangerous proposal. I'd urge the body to reflect, not to waiver and to please vote against LD 1845 as it is presented to us today.

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

Representative CURLEY: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I'm opposing the proposal before us. I won't cast any aspersions on the people who drafted the bill, the reason why it was drafted or the insurance companies because I think we all have the goal in common to provide more health insurance at an affordable rate. But, timing is everything and the State, I feel, is not prepared to take on any more big projects of this kind. Just think about the past few years. We've merged the largest two departments in the State with 4,000 employees responsible for services for over a

third of the people in our State in one way or another. It's not complete and we've already spend over \$9 million in consulting fees to help make it happen and it's not done and it's not right yet. We've had an acting Commissioner of this large department three of the last four years. We have not had a director of the Medicaid program, the largest program in the State for the most vulnerable people in our State, and no director. We have a computer problem. We've overpaid \$502 million. \$502 million of overpayments to providers. When you look at the May 12th report, we still have over \$280 million that we can't retrieve. They're being researched. It's being worked on, but we may never retrieve that money. \$280 million. Imagine all the insurance you could buy with that if we did first things first. I have another list of all the hospital payments that are owed. I could read through them community by community. We're all affected by that. Almost \$100 million of State money has not been paid to the hospitals and that leaves almost \$200 million of Federal money laying on the table and we can't get it. This body may be willing to pass a new self-insurance program. I think the idea is right. The timing could not be more wrong. So, we all may be willing to pass it. I'm not because the State is not willing, and not able, to take on one more new project. Let's do what we have pending first so that we can really take care of the people of Maine. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Walcott.

Representative WALCOTT: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I've stood on the floor of the House and I've said this before and I think it needs to be reiterated today. I serve on the Health and Human Services Committee and most of what the previous speaker said is true. As people that serve on that committee with me know, I'm not really a defender of the Health and Human Services Department. Even to the point of, just a couple weeks ago, being one of three people on the Committee to vote against the new Commissioner for the basic reason that she has been there through all these problems. But, what I managed to stand up and say today, once again, is you can try to scare people to vote a certain way by bringing up the specter of DHHS, but Dirigo has its own Board of Directors and its own Agency which has absolutely nothing to do with the Department of Health and Human Services. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Perry.

Representative PERRY: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I just want to quickly go through what this bill does and doesn't do. First of all, it allows the option to go to a self-insured plan. The only triggers that allow that to happen is if, and in the legislation is says "shall have at least two and a half months of claims on board in trust," and only if they can purchase stop loss insurance in order to do that. The other things, in terms of being overseen by the Bureau of Insurance, all of that process is overseen by the Bureau of Insurance. The other requirements that this bill has is they are required to follow every mandate that the State has and Rule 850. In other words, this self-insured plan has no exemptions from any of the State regulations that we have on board now. I ask you to vote in favor of this.

The SPEAKER: The Chair recognizes the Representative from Newcastle, Representative McKane.

Representative MCKANE: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. We've heard a lot of arguments pro and con on this already, but I think there's a few more here in the Chamber of Commerce's analysis of both the Majority and Minority Reports in their *Impact* newsletter. I'll read

just a couple paragraphs, "The Majority Report still causes great concern for the Maine Chamber members. The premium rates, to be charged, are not subject to any oversight by the Bureau of Insurance or any other regulator. As a result, there is no guardian to ensure the rates are not adequate, excessive or unfairly discriminatory, the standards with which commercial health insurance carriers must comply. As a result, if the premiums charged and the reserves are insufficient to cover the claims, the State's general fund, meaning taxpayer dollars, may be expected to pay those claims. In addition, to concerns about financial solvency and viability of the proposal to self-fund DirigoChoice, there are also concerns about the lack of Legislative oversight. While the Majority Report requires that a report be submitted to the Joint Standing Committee on Insurance and Financial Services, if the Board decides to self-fund, it does not require affirmative approval of the Legislature to implement it's plan. Knowing what we know, hearing this analysis, looking at Kentucky and Tennessee and seeing the disasters that happened with those state-run plans, how can we possibly endorse this plan?" Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Shields.

Representative SHIELDS: Mr. Speaker, may I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative SHIELDS: I'm not clear on what is the source of the reserves that should be there in proper amount in order to have this plan. Where do those funds come from?

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Marraché.

Representative MARRACHE: I don't have an answer to that question, although, I can get that for you shortly. I do need to mention to everybody, I have heard multiple times the mention of TennCare and Kentucky. May I remind you all to look it up. I know many physicians who worked in those states. That was a Medicaid program. It has nothing to do with what we're talking about here at all. Thank you.

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

Representative GLYNN: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise first to answer the question of the good Representative from Auburn, Representative Shields when he asked, "Where are the reserves coming from to set up this program?" The simple answer is, there is no plan. They have no idea where the reserves are coming from to set up this program to pay the claims for these poor people. My biggest concern with the plan that's been put forward to us is the manner in which it came to the Insurance and Financial Services Committee and the lack of a plan. I've heard, up and down the halls in the last two days, "You've got to vote for LD 1845 to save Dirigo." Really, indeed, to save Dirigo. I seem to remember the same claim last session when we voted on LD 1577 dealing with the funding of Dirigo. We all had to vote for that bill to save Dirigo. Why is it every time we do exactly what the administration and the Office of Health Policy requests, do we in turn need to save Dirigo three months later? Again and again and again. The simple reason why is because when these proposals come forward, there are absolutely no financial analysis and plans, no flow charts and nothing to back them up. When we considered this proposal, I was quite excited at the opportunity to talk about how to improve the Dirigo program and make this a viable health insurance product because I supported the original Dirigo legislation. My problem with Dirigo has been the funding source. The funding source is a nightmare on this program. It is the problem. Taxing health insurance does not

make it more affordable. We have 1.3 million Mainers that are being taxed. Every one of them. The good people, the people that get health insurance, they're getting taxed to help 10,000 people enrolled in the program, making their health insurance product unaffordable. The 16% rate increases that Anthem has passed on is unacceptable. So, we have this solution proposed, 1845. What a great opportunity it was for our Committee. What a great opportunity it is for the Legislature to shine. Instead, again, we don't have any plan. You have before you a bill, 1845, to allow the State, essentially, to become an insurance company. Has anybody seen a balance sheet as what kind of reserves are required to get this operation going? If you have, please send it over to my desk. I haven't seen it and I'm on the Committee and I asked for it. Where are the reserves coming from? Why is this important where the reserves are coming from? We're telling people we're going to cancel their Anthem policy for Dirigo and we're going to pay the claims. Don't you care that we have enough money to pay those claims and that we know where that money's coming from? I care. I care deeply and I think all of you do too. So, ask the question, how much reserves are we going to have and where is it coming from? Because, in January those reserves are going to be paying these claims. Now we start to take a look at the structure. Again, no financial analysis. No plan. If you vote for 1845, has anybody seen a chart as to how many additional uninsured people are going to now have health insurance? I haven't and I'm on the committee and I asked for it. I want to know, are more people going to be able to enroll in Dirigo and how many more people are going to be enrolled in Dirigo month one, month two, month three and month five? I want to know all the months. I want to know. Are more people going to be able to enroll in Dirigo if we buy this, if we go for this proposal? The simple answer is, we have never been given that information. We've seen no model, no expectation on enrolling the uninsured. We have seen no financial model. Nothing. Vote for this bill, save Dirigo. Do it now, save Dirigo. Again, why do we have to save Dirigo? We have a working product. You were told that when you voted for 1577 last session, that was going to save Dirigo. Then we've got another bill coming up, another companion bill to 1835, 1945. We've got to vote for that to save Dirigo. If you're doing everything the Office of Health Policy says, why do you need to keep saving the program? The reason why is, because we haven't got a model, one that we can follow. I got an e-mail this morning, a very important e-mail and one that really touches all of us. It was from my local hospital. I received this at 10:30 this morning unsolicited from Valerie Landry from Mercy Hospital. This ties in directly to the debate on 1845. What Ms. Landry says is Mercy Hospital just learned that it is one of only two calendar year, 2003 hospitals with amounts outstanding that will not be paid by the end of the current fiscal year, St. Joseph's Hospital and Mercy Hospital are the two, and they've been told that this payment isn't going to be made until October, 2006. The letter goes on to say, "As you know, Mercy Hospital has not taken an adversarial approach to being paid. It's been their understanding that the intent of the Legislature was that through the supplemental appropriation, they would receive payment for services rendered in 2003." By their calculations, less than \$2 million of the State monies would need to be drawn down from Federal monies necessary to pay Mercy Hospital the \$5.5 million owed for services rendered in 2003. Our cash flow has no longer...

Representative MILLER: Point of order!

The SPEAKER: The Representative will defer for a minute. The Chair recognizes the Representative from Somerville, Representative Miller.

Representative MILLER: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I ask, Mr. Speaker, if this is germane to the issue at hand.

On POINT OF ORDER, Representative MILLER of Somerville asked the Chair if the remarks of Representative GLYNN of South Portland were germane to the pending question.

The Chair advised Representative MILLER of Somerville that the remarks of Representative GLYNN of South Portland were germane to the pending question.

The SPEAKER: The answer is in the affirmative. It is the adoption of Committee Amendment "A" that we are debating. The Chair recognizes the Representative from South Portland, Representative Glynn.

Representative GLYNN: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Thank you to the good Representative. Again, why this ties back to 1845 is the funding. The funding. Listen to what Mercy Hospital is going through. Their cash flow can no longer withstand these payments owed for Medicare and as we begin to draw down our line of credit, with a matter of weeks, to meet our payroll and vendor obligations. It goes on and states, point by point, the millions of dollars owed to our hospital by the State. Now, we have the Dirigo product. Under 1845 we are going to pay these claims owed to the hospitals now for the Dirigo product that Anthem has been paying. We have no plan for reserves. No cash. What's going to happen to our medical providers? Do we want to go to Mercy Hospital, to Maine Med and to all of our rural hospitals and show up and the first question is, "Do you have MaineCare or do you have Dirigo, because if you do, we're owed so much money we can't afford to treat you. This happens in other states. In other states, these Federal programs, run by the states that don't pay their bills, they send you to the county hospital. They won't take you at your local hospital because their states don't pay their bills. Maine is following that bad track record. This is serious stuff. If we are going to go down the road of looking at going self-insured, how about that financial model? How about that list of reserves? How about a plan showing how many Dirigo enrollees are going to enroll? If you vote for this, do you believe 10,000 more people are going to enroll in a Dirigo? Do you believe 2,000 more people will enroll in Dirigo? I know, right now from being on the Committee, less than 10,000 people are enrolled in Dirigo and thousands of people have dropped Dirigo. So then, the question becomes, "What are you buying with LD 1845 and how is 1845 going to save Dirigo?" I need those questions answered before I can vote for it. I hope you join with us in voting against Committee Amendment "A" and moving on to some other solutions which we think really, very much, will improve Dirigo.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of Committee Amendment "A" (H-1012). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 582**

YEA - Adams, Ash, Babbidge, Barstow, Beaudette, Blanchard, Blanchette, Bliss, Brannigan, Brautigam, Bryant, Burns, Cain, Canavan, Clark, Craven, Cummings, Driscoll, Duchesne, Dudley, Dugay, Dunn, Duplessie, Eberle, Eder, Faircloth, Farrington, Finch, Fischer, Fisher, Gerzofsky, Goldman, Grose, Hanley S, Harlow, Hogan, Hutton, Jackson, Jennings, Koffman, Lerman, Lundeen, Makas, Marley, Marraché, Mazurek, Miller, Moody, Norton, O'Brien, Paradis, Patrick, Percy,

Perry, Pilon, Pineau, Pingree, Piotti, Rines, Sampson, Schatz, Simpson, Smith N, Smith W, Thompson, Tuttle, Twomey, Valentino, Walcott, Watson, Webster, Wheeler, Mr. Speaker.

NAY - Annis, Austin, Berube, Bierman, Bishop, Bowen, Bowles, Brown R, Browne W, Bryant-Deschenes, Campbell, Carr, Cebra, Churchill, Clough, Collins, Cressey, Crosthwaite, Curley, Curtis, Daigle, Davis G, Davis K, Duprey, Edgecomb, Fitts, Fletcher, Flood, Glynn, Greeley, Hall, Hamper, Hanley B, Hotham, Jacobsen, Jodrey, Joy, Lansley, Lewin, Lindell, Marean, McCormick, McKane, McKenney, McLeod, Merrill, Millett, Mills, Moore G, Moulton, Muse, Nass, Nutting, Ott, Pinkham, Plummer, Rector, Richardson D, Richardson E, Richardson M, Richardson W, Robinson, Rosen, Saviello, Seavey, Sherman, Shields, Sykes, Tardy, Thomas, Trahan, Vaughan, Woodbury.

ABSENT - Crosby, Emery, Kaelin, McFadden, Stedman.

Yes, 73; No, 73; Absent, 5; Excused, 0.

73 having voted in the affirmative and 73 voted in the negative, with 5 being absent, and accordingly **Committee Amendment "A" (H-1012) was FAILED ADOPTION.**

The Bill was assigned for **SECOND READING** later in today's session.

---

Under suspension of the rules, members were allowed to remove their jackets.

---

**BILLS IN THE SECOND READING**  
**House**

Bill "An Act To Increase Access to Health Insurance Products"

(H.P. 1285) (L.D. 1845)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the House Paper was **PASSED TO BE ENGROSSED** and sent for concurrence.

---

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH.**

---

**UNFINISHED BUSINESS**

The following matter, in the consideration of which the House was engaged at the time of adjournment yesterday, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

An Act To Implement Task Force Recommendations Relating to Parity and Portability of Benefits for Law Enforcement Officers and Firefighters

(H.P. 706) (L.D. 1021)

(S. "G" S-660 to C. "B" H-1007)

TABLED - May 23, 2006 (Till Later Today) by Representative CUMMINGS of Portland.

PENDING - Motion of same Representative to **RECONSIDER** whereby the Bill **FAILED OF PASSAGE TO BE ENACTED.**

Representative HALL of Holden **REQUESTED** a roll call on the motion to **RECONSIDER** whereby the Bill **FAILED PASSAGE TO BE ENACTED.**

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 Holden, Representative Hall.

Representative HALL: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I will try to keep my remarks here brief. It strikes me, in response to the Speaker's