

# MAINE STATE LEGISLATURE

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

**Daily Edition**

**First Regular Session**

December 1, 2010 – June 29, 2011

pages 1 - 1067

**COMMUNICATIONS**

The Following Communication: (H.C. 162)

**STATE OF MAINE  
CLERK'S OFFICE  
2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0002**

May 12, 2011

The Honorable Robert W. Nutting

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Nutting:

Pursuant to Joint Rule 310, the Committee on Energy, Utilities and Technology has approved the request by the sponsor, Senator Thibodeau of Waldo, to report the following "Leave to Withdraw":

L.D. 1455      An Act To Create Efficiencies in State Government by Transferring the Duties of the Public Advocate to the Office of the Attorney General

Sincerely,

S/Heather J.R. Priest

Clerk of the House

**READ and with accompanying papers ORDERED PLACED ON FILE.**

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**CONSENT CALENDAR**

**First Day**

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

(H.P. 875) (L.D. 1177) Bill "An Act To Make Minor Changes to Municipal Health Inspection Activities" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-238)**

(H.P. 955) (L.D. 1303) Bill "An Act To Increase the Fee Paid to a Funeral Home To Transport a Body at the Request of the State Medical Examiner" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-239)**

There being no objections, the above items were ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.

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**ENACTORS**

**Acts**

An Act To Modify Rating Practices for Individual and Small Group Health Plans and To Encourage Value-based Purchasing of Health Care Services

(H.P. 979) (L.D. 1333)

(S. "H" S-96 and S. "I" S-99 to C. "A" H-186)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative CURTIS of Madison, was **SET ASIDE**.

The same Representative **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**: The Chair recognizes the Representative from Portland, Representative Haskell.

Representative **HASKELL**: Thank you very much, Mr. Speaker. I got this corsage because I've been around awhile, they said today, and it became obvious to me early on that

presenting an amendment would have reached the same fate as all of the other amendments did today. But I do want to say something on the record today and suggest to folks that they think about this as they go forward.

In this bill, there is an assessment, or a fee or a tax or whatever it is you want to call it, of \$48 or \$72, somewhere between \$4 and \$6 that are levied on every private insurance policy in the state to fund the individual reinsurance pool. This includes costs for small group pay-ins, big group plans, self-insurance plans, despite the fact that they are not sending members to the pool, so the rate decreases because the pool will isolate those high costs.

In its current form, this LD specifically exempts the self-insured, state employee plan, federal employees, from making contributions to the reinsurance pool. The public sector self-insured plans, like the plan for school employees and town and city employees, are subject to a contribution and private sector plans, like Wal-Mart employees and their families, are subject to the funding pool and, I think, other examples of self-insured like BIW. All of these plans are subject to contribution except state and federal employees, which includes the members of this body and the other body. And I am not prepared to go home and tell my constituents that they are all going to pay \$4 or \$6 on their insurance plan because of the work that we've done here today and I, on the other hand, am not going to have to pay that.

So knowing my rules, I won't provide you with any props, but here on my desk I've got my \$6 that I'm going to send back to the state because I don't think I ought to be exempt from something I'm imposing on people in my district. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. As the minority lead on the Taxation Committee, and one of only four minority members on that entire committee, working with a great, tripartisan team, I wish to speak today also about the taxes that are contained in this final version of LD 1333. Today, we were offered a chance to address this tax, but it was rejected.

More than a century ago – a truly great Republican Supreme Court Justice, by the name of Oliver Wendell Holmes, Jr., said this: "Taxes are what we pay for civilized society, including the chance to insure."

I could not agree more. We may not like them, but taxes are not always a bad thing. Without taxes, we would have no schools, no roads, no public safety, no general welfare, no public lands, no national security, and as Holmes suggested, no true insurance.

But when taxes are raised for any purpose – including, in Holmes' words and in this case today – "the chance to insure" – we must all take this matter very seriously, we of all people.

Our constituents and our Constitution expect us to weigh seriously any tax, including the health insurance premium tax contained in this bill, which, by the way, is a per member per month amount, so it adds up and I want to take us through some of that math.

It does sadden me that this issue has become partisan. I have great respect for everyone in this chamber, and I can not – for the life of me – understand why we would want to vote in favor of a huge tax and yet exempt ourselves from that very tax.

I realize there are those here who may wish to call this tax an assessment. I've been known to call a tax an assessment myself – especially when I was voting for it. But as my friends from across the aisle have reminded me at those moments – if it walks like a duck, and talks like a duck, let's not duck the facts. It's a tax.

Even with the limitations that may be imposed on this tax today, that are imposed on this final version because we have concurred, this bill would levy a tax on Maine working families of as much as \$43 million per year, or up to \$288 per year for a family of four. Two-hundred and eighty-eight dollars per year for a family of four.

This tax is unfair to many businesses, is regressive, and is hypocritical.

This new, \$43 million tax is unfair because if approved today, the tax will fall on many group payers, many Maine businesses such as LL Bean, Unum, and Wal-Mart, and many, many small businesses, in each of our districts, as well. Yet it will provide these payers and their employees no benefit – no benefit – in return. The benefits go to cover payers on the individual market, not the employees or owners of those businesses.

This new, \$43 million tax is regressive because it is flat. A family of four making \$15,000 per year, working hard, making minimum wage perhaps, will pay as much as \$288 per year. That same tax of \$288 per year would be applied to wealthier families of four.

Yet according to Maine Revenue Services, it is the bottom 20% of our income earners who pay – by far – the highest effective, combined state and local tax rate. A flat tax is unfair.

Finally, this new, \$43 million tax is hypocritical. It is hypocritical because if we vote to enact this bill today, we will be levying a tax of up to \$6 per member per month, up to \$72 per member per year, up to \$288 per year for a family of four – yet we will be exempting ourselves, as legislators, from that very tax.

Mr. Speaker, do we really want to rush forward today to impose a tax of up to \$43 million per year on Maine people – a tax that will fall disproportionately on the shoulders of working families? Do we really want to impose this premium tax of up to \$72 on working families, per person, and yet exempt ourselves from that tax?

I do not. I know at least half of us here do not. The taxes we in this Chamber impose, we should impose also on ourselves.

If we are plunging ahead today with this tax, Mr. Speaker, if we are heading like lemmings for a cliff and providing parachutes only to ourselves, and not to others – then I have no doubt that our actions will be judged poorly by the good people of this great State. If we change direction, turn away from the cliff, and reconsider, we may still take actions that will stand the test of time and popular opinion.

Mr. Speaker, I urge us all in this Chamber to vote against this new \$43 million tax, and against the pending motion.

The SPEAKER: The Chair recognizes the Representative from Gorham, Representative Sanborn.

Representative **SANBORN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. LD 1333 is a bad bill. You have heard many of the reasons through the discussions of the amendments offered us today.

If we are to decrease the cost of health insurance, we must decrease the costs of health care. Decreasing the costs of health care means access to health care for everyone. It means maximizing prevention of acute and chronic illness. It means seeing a health care provider who knows you and who you trust. It means treating patients in their communities. It means providing the right care at the right time and the right place. It means practicing evidence based medicine and implementing best practices with consistency for everyone. It means ending health care disparities. It means paying for the outcomes we want, not for the volume of visits or procedures provided.

These are all addressed in the Affordable Care Act. LD 1333 does none of these and increases health care disparities. LD 1333 is a health insurance bill written by the insurance industry

and has nothing to do with health care or decreasing health care costs, and is certainly not health care reform. Please take a stand with me and vote against LD 1333. Thank you.

The SPEAKER: The Chair recognizes the Representative from Windham, Representative Bryant.

Representative **BRYANT**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I just heard Representative Dr. Sanborn say this is a bad bill, this is bad medicine for the State of Maine. I rise in opposition to the motion, as many members of this House have laid out in the last few hours why LD 1333 is a bad bill.

The bill presented to me is still poison, which hasn't come back in any better position, in my opinion. This is bad medicine for the State of Maine. Again, I urge members of the body to vote against this pending motion, against bad medicine for the present and future members of the great State of Maine.

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

Representative **CAREY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. When I graduated from college I returned to Maine at the age of 21 and worked two jobs. I worked with a local contractor from my small community building houses. We started at near the crack of dawn and I would leave in early afternoon to go across four rural towns to go to my alma mater where I coached the girl's soccer team. I was making \$8 an hour, the coaching job was a volunteer one, and I couldn't really afford, I thought, health care. It cost \$212 a month as I recall. I was living at home, \$8 an hour wasn't enough to do otherwise, and I had to have health care because that was my mother's only requirement. It was a high deductible plan.

I imagine I'm back at that time, back on one of those buses going to a town halfway across the state, a couple of hours away, filled with girls on the soccer team going to take the field, and when they get there, the other team's not there. In this body, when the other team doesn't take the field, we don't win by forfeit. My team showed up today. We don't have the majority. We don't expect to win every, or maybe many, debates. But we expect, I expect, that we're going to have a debate on the merits, on logic and with the passion that we bring to it.

The Representative from Newport spoke eloquently to what drives him on this issue. We may be able to find common ground, we may not. But we should have a debate. We don't have the majority and the majority, on a majority bill, can ram it through – and I accept that. I don't respect that.

I am reminded on the debate two years ago on the highway budget. It was after April so it was two-thirds, we needed both parties, and many people in this chamber will remember that night. We were here very late. And a friend and colleague on the other side said he didn't have to vote for that bill, except to benefit his communities, but he didn't have to vote for it because he was the loyal opposition.

Well I am now in the minority and reject the loyal opposition, the idea of the loyal opposition. My community sent me here to fight for them and they sent me here expecting that I would have the judgment and the willingness to work on behalf of the people of Maine. I hope we continue to do that, which, other than this example, we have done that. I have experienced that in this session. I hope that that continues after tonight. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Pilon.

Representative **PILON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Let's not be fooled. We're talking about \$4 and \$6 per member right now. It's not going to stay the same. You know, this is a new plan, this is

a new insurance plan that has not had experienced any losses, and once this plan starts to mature a little bit and starts to realize some claims, the rates are going to go up. Once the rates go up, those \$4 and \$6 per member costs are going to start to go up. So we're only taking about \$4 and \$6 per member right now, but give this plan a little bit more time, give it a little bit more time to experience some losses, let the insurance companies experience some lost ratios, and the \$4 and \$6 is going to seem like a bargain.

After that, then we're really going to see where the rubber meets the road. This is not about \$4 and \$6. This is going to be like \$20, \$25. We're not buying, this is not \$4 or \$6, because what happens here is, as you remember for all those that have read the bill, the company pays the first \$7,500 worth of loss or claims and then they reinsure after that, so all those losses or all those claims go to the reinsurer, so the company has to pay premiums for the reinsurance.

So as the claims go up, when those claims start to go up, the reinsurance premiums are going to start to go up. It's going to start to get expensive to keep this reinsurance going, and that's kind of what happened in Massachusetts. The reinsurance premiums started to get expensive and the program started to unravel. Now I hope that's not the experience here in Maine, but that's how a reinsurance program works. So let's not be lulled into a false sense of security. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Boothbay, Representative Macdonald.

Representative **MacDONALD**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I ask you at this late hour to look up at the board that we have in front of us and to look at what it says. This bill is to modify the rating practices for the individual and small group health insurance marketplace. This is one of the most honest titles that I think I've ever seen for a bill. It is an honest title.

The one thing it doesn't tell us is modify how. We've seen from the information that is in this bill that it's going to modify, the rating practices are going to be modified in such a way that older and more rural and people with more risky occupations are going to be paying more money. That's what this bill does.

I'm sure that some of us are going to go out of here and say we're dealing with health insurance reform. Well, that's the reform. That's the change. It's right there in green on our board. I am sure that some people are going to say, well, this bill also includes purchases for out of state insurance. That, to me, is a phantom, Ladies and Gentlemen. It's not going to go into effect until 2014. By that time the Affordable Care Act will go into effect with the same ability for us to get out of state insurance, expect that the Affordable Care Act has multiple provisions for consumer protection and fair business practices and grievance procedures within it that this bill does not have.

I submit to you that you will not see out of state insurance being written under this bill. It's a phantom that's a part of this bill. Be honest. This is a bill about modifying rating practices and it's modifying them the wrong way, Mr. Speaker, and for that reason, because we were not able to reach any compromise on any of the issues we brought forward, I will be voting no on final enactment.

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

Representative **STUCKEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I actually agree with what the good Representative from Newcastle said when he first introduced the bill. He said the choice here was really pretty simple, and I think the choice is. The choice is between deregulating and trusting our health care system to the profit

motive of the free market, and some folks want that. Some of the rest of us would prefer a public universal access single-payor system that puts people before profits. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Thank you, Mr. Speaker. Mr. Speaker, Members of this body. Under our process, a bill that requires expenditures goes to the Appropriations Table after being enacted. I was more than happy for that process to continue in the normal fashion. But before I came in to take my seat, I was informed that the Appropriations Committee was going to meet and it was going to suspend the rule so it could immediately go to the Chief Executive. This is a violation of the process and I object to it strenuously.

This piece of legislation has a total tax on Maine people of \$29 million to a maximum of \$35 million a year, with no thought being given to the impact. And I was told don't worry about it, you can vote against it, it will be an 8-5 vote and we'll suspend it from the table, you don't even need to show up. If this is the beginning – if this is the beginning, let me just say it's going to be a tough two months on the Appropriations Committee.

This bill does not have an emergency. It will not take effect until 90 days after we adjourn. And I can only suspect what the motives are, but I'm not going to question them here tonight because I can't prove it. But if I could, I would. I urge you, every single member of my caucus, to object to the suspension of the rules to send it forward to the other body tonight, and let's start, if that's the game, let's play it because I know how.

The SPEAKER: The Chair recognizes the Representative from Thomaston, Representative Kruger.

Representative **KRUGER**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I wasn't planning on speaking. I have an appreciation of levity, of brevity, but the silence of the majority is deafening. And really, I know, everybody knows how this is going to go, but I really didn't want to leave that silence completely un-responded to.

There is a lot I don't understand, a lot I wasn't supposed to understand. But what I do understand, a lot of that I don't like. But the thing that I'm really going to have a tough time with going home is the idea that this body, that members of this body are exempt from a tax that we are applying to almost everybody else. I think that's reprehensible and I do not know how I'm going to explain it to my constituents. Thank you, Mr. Speaker.

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

Representative **LOVEJOY**: Thank you, Mr. Speaker. It has been an interesting day in the House to say the least. We talk in this state about business. I want to talk about business for a minute. There isn't a business in this state or probably in this country that would make a \$35 million gamble without gathering information, and if you're a businessman, think about that. Think if you would do a gamble on \$35 million without checking it out first, because that's what you're asking.

Secondly, today we had an amendment that looked at putting consumers on this group and we're not going to do that. So this group is going to oversee this, is made up of insurance companies and their folks. Now if you're going to put the fox in charge of the henhouse, you're going to put insurance companies that drafted this bill without consumers involved, including Anthem that some people like to demonize, myself included, you're going to put them in charge. And all I ask is if you believe they have our best interests involved rather than their profits, go for it.

The **SPEAKER**: The Chair recognizes the Representative from Winthrop, Representative Flood.

Representative **FLOOD**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I don't pretend to know much about insurance so I won't be speaking to you about any enactment vote, but I did want to respond to my friend, the Representative from Eagle Lake, regarding the process that we might be following. And I wanted to be sure that people in this body knew that we needed to consider different options as we go forward with a bill, and we are considering different options as to how to go forward with it and the process that gets it through full process. We are considering things, but we haven't made any finite judgment and I'm sorry if the Representative from Eagle Lake felt that was the case. That's something we probably will talk about after enactment, hopefully tonight, but I did want to be sure that you knew we are going to respect the process as best we can and I appreciate his comment and I wanted to thank him for it.

The **SPEAKER**: The Chair recognizes the Representative from Hallowell, Representative Treat.

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

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

Representative **TREAT**: Thank you very much, Mr. Speaker. My question is I am confused by the discussion we've just had relating to whether or not this bill would be exempted from the Appropriations Table. So my question is could we get an answer to that question before the final vote here, because that would concern me greatly.

As was pointed out by the Representative from Eagle Lake, this is not an emergency bill, the provisions don't go into effect for 90 days and there are many provisions of it that don't go into effect for two or three years, so there is absolutely no hurry for it. It's really a fairly extraordinary thing to exempt something from the Appropriations Table unless it is something that really has just like minimal cost that needs to be done right away. That's my past experience.

I have never served on that Committee, but I have served in this Legislature for a long time and you are always on tenterhooks every time you had a bill that has some kind of cost to it. Because you get it all the way through the committee, you get it all the way through the Legislature, but then it does have to go to the Appropriations Committee that looks at do we have the money to fund it and what does it cost and what are the implications. I would be deeply concerned if a bill of this importance involving the amount of money that it involves were to be summarily exempted from the Appropriations table. So I hope we can get an answer from somebody, I guess in the majority, who is in a position to tell us, before we vote on this bill, whether the intention is to do exactly that. Thank you.

The **SPEAKER**: The Representative from Hallowell, Representative Treat, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Warren, Representative Richardson.

Representative **RICHARDSON**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. LD 1333 as amended is a long asked for fix to our insurance market. We have looked at a wide array of proposals introduced over the last several years. We have crafted this piece of legislation that takes concepts from previous bills, and from both sides of the aisle. We've reviewed the models implemented in other states, and we've constructed a program that we believe will address the core, structural problems that have resulted in some of the highest health insurance costs in the nation. This bill will allow Mainers more choice, inject competition into our market, reduce

premiums, and protect our most vulnerable from denial or excessive premiums. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Palermo, Representative Harmon.

Representative **HARMON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise before you tonight as being a longtime resident of Maine. I went to college for 10 years, worked in New Hampshire for three years where rates were low. We came back in 2003, my wife and I, we moved to Palermo. All these years when we moved back to Maine, we had a 50% increase in our health care costs. Why is that? Because we almost have a centralized planning system here in Maine and almost one or two health insurance companies, we don't have competition. We have very minute competition here in this state.

The accusations have been made that this bill is going to make a sicker state and a poorer state. The accusation has been made that insurance companies are going to be in charge. Wrong. This bill puts the consumer in charge. It puts families in charge. It puts small farmers in charge. It's too bad because plans like this have been used in dozens of states with significantly lower costs than our state, and not once have I heard someone bring up where plans like these have been used and are being used successfully in many cases.

All plans have their errors. All plans are subject to change and we try to do that for the better. But Mainers, in general, from what I have heard on my campaign, is they want change, and this is positive change. It is pro consumer, it is pro family. That's what I hear from my people.

A couple of nights ago I ran into Mr. Reitchel in my community, a family of three. He came up to me and said "Thank you. We finally have change. I'm going to have options. I can purchase some insurance in the year 2014 out of state, perhaps it will be cheaper." He thinks it's going to be cheaper. I do too, looking at the economics of this bill, but we really need to look. I mean I haven't heard one positive thing.

There are positive things in this bill. How can we say not letting Maine residents to purchase health insurance outside our state is wrong? For years we've kept up the status quo and all I hear is we want to keep the status quo. We've had a failed centralized planning system here in the state that it was tried and now we want to keep the status quo. Wrong. This is a pro family bill. It's a pro consumer bill. I'm glad that it's here and I'm glad that this is going to be a historic day for Mainers. Thank you, Mr. Speaker.

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. A couple of things about this bill. It comes from the other body as an amended bipartisan bill, and I want to thank members of the minority party from the other end of the hall who supported this bill. I have been here listening, absorbing. I know the other side would have liked more back and forth, but it was time to just listen and now it's time to respond to some of the things. I think you've gotten the answers over the past three weeks on a lot of these issues.

The issue on legislators not paying this \$4 per month fee, that will be addressed. That will be addressed, mark my words. We will be addressing that. I totally agree with you on that. We're not going to stop this process and amend this bill now, go back there, be out of concurrence, back and forth, but we will address that.

I've heard a lot as I've listened over the past few days as we've been debating this bill about a number of things. I've heard

about the process. The process is rushed. The process that I've been involved in for this bill at this moment has taken seven years. That's when I started advocating for this bill. It started long before that too. We knew – and I say we, I'm talking about my constituents, including the businesses, families – that the status quo wasn't working. So this is what we proposed, essentially the same thing that was proposed when I first came here seven years ago. Yes, there are some differences but all the concepts are the same. It's been a long process and its current process has been three weeks. There's been plenty of time to go over this.

I've heard that the changes to community rating are going to hurt those living in rural Maine and older Mainers. I disagree, especially when you look at other states that have no community rating, none at all, 100:1 rating bands for geography, for age, and they are all paying less than we are in Maine. We're the most regulated insurance market in the country and the prices we pay for premiums show it and our constituents are not fools, they know it too. I don't know about you, I have not received an email saying do not vote for this other than organizations of the usual suspects – Consumers for Affordable Health Care, and so forth and so on – and I guess they are the consumers group that is supposed to be involved with those changes to the board. I would not recommend that.

I've also heard that this bill was written by the insurance companies and that that's who we listened to, to create this bill. The insurance companies? Patently false, I'm sorry, that is not true. We listened to our constituents. We've been listening to them for years, and again, I heard it before I ran seven years ago. That's one of the reasons I did run seven years ago, people complaining about the health insurance costs in this state. Why don't we do anything? Why do they want Anthem to have a monopoly? Why don't they want Anthem to have some competition? I don't know, I'd say. I do not know, I can't answer that, but I'm going to see if I can change it. Seven years, it looks like we might be getting there. No, I've listened to the people in my district who have been begging and pleading for this, and I know they've been in your districts too. I know they have. We've heard it.

These changes that we're making, in my way, are not enough. I would have gone further. Had it just been up to me, I would have gone further. I would have dropped the community rating bands in some areas and I would have put them into effect sooner. But I will say cooler heads prevailed and this is a very gentle, easy bill. This doesn't even get to 3:1 rating bands until 2014. That's a long ways off. I know my constituents want things to happen faster than that. We don't allow out of state insurance until 2014. That's a long ways off. They want things happening faster, but it looks like it's best to go slowly, ease in, and this will do it. This will work.

This is not going to work as fast as some of us would like to see. There won't be any shocks to the marketplace. We bring ourselves up to what the Affordable Care Act says we can go to by 2014, what Washington, ObamaCare, has said we can go to by 2014, and that's not a very dramatic bill considering that a lot of states have, again, no community rating at all.

I would love to see more members from the other side. I'm pretty assured of how the vote is going to go watching the amendments and listening to what I've been hearing. I know your constituents want you to be on this side with us, but so be it. It's time that the status quo ends. Tonight's the night. Thank you very much, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

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

The SPEAKER: The Representative may pose his question.

Representative **MARTIN**: Having just received the information, the total cost to this budget this year is \$200,000. I would inquire as to where that money will be coming from.

The SPEAKER: The Representative from Eagle Lake, Representative Martin, has posed a question through the Chair to anyone who may care to respond.

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. 44

YEA - Ayotte, Beaulieu, Bennett, Bickford, Black, Burns DC, Burns DR, Cebra, Celli, Chase, Clark T, Cotta, Crafts, Cray, Crockett, Curtis, Cushing, Davis, Dow, Dunphy, Edgecomb, Espling, Fitts, Fitzpatrick, Flood, Fossil, Foster, Fredette, Gifford, Gillway, Guerin, Hamper, Hanley, Harmon, Harvell, Johnson D, Johnson P, Keschl, Knight, Libby, Long, Maker, Malaby, McClellan, McFadden, McKane, Morissette, Moulton, Nass, Newendyke, O'Connor, Olsen, Parker, Parry, Picchiotti, Plummer, Prescott, Richardson D, Richardson W, Rioux, Rosen, Sanderson, Sarty, Shaw, Sirocki, Strang Burgess, Tilton, Timberlake, Turner, Volk, Waterhouse, Weaver, Willette A, Willette M, Winsor, Wintle, Wood, Mr. Speaker.

NAY - Beaudoin, Beavers, Beck, Beliveau, Berry, Blodgett, Boland, Bolduc, Bryant, Cain, Carey, Casavant, Chapman, Chipman, Clark H, Clarke, Cornell du Houx, Dill J, Dion, Driscoll, Duchesne, Eves, Flemings, Gilbert, Goode, Graham, Harlow, Haskell, Hayes, Herbig, Hinck, Hogan, Hunt, Innes Walsh, Kaenrath, Kent, Kruger, Kumiega, Lajoie, Longstaff, Lovejoy, Luchini, MacDonald, Maloney, Martin, Mazurek, McCabe, Morrison, Nelson, O'Brien, Peoples, Peterson, Pilon, Priest, Rankin, Rochelo, Rotundo, Russell, Sanborn, Stevens, Stuckey, Theriault, Treat, Tuttle, Valentino, Wagner R, Webster, Welsh.

ABSENT - Briggs, Damon, Eberle, Knapp.

Yes, 78; No, 68; Absent, 4; Vacant, 1; Excused, 0.

78 having voted in the affirmative and 68 voted in the negative, 1 vacancy with 4 being absent, the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: I object, Mr. Speaker.

Representative **MARTIN** of Eagle Lake **OBJECTED** to sending all matters **FORTHWITH**.

The SPEAKER: The Representative from Eagle Lake, Representative Martin, objects. Objection noted.

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On motion of Representative **RICHARDSON** of Warren, the House adjourned at 7:40 p.m., until 10:00 a.m., Monday, May 16, 2011, pursuant to the Joint Order (S.P. 503).