

# MAINE STATE LEGISLATURE

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Senate Legislative Record  
One Hundred and Twenty-Fifth Legislature

State of Maine

Daily Edition

First Regular Session  
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Pages 1 - 1494

Reports **READ**.

On motion by Senator **MARTIN** of Kennebec, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

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**Divided Report**

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Resolve, To Update the Study Regarding the Feasibility of Establishing a Single-payor Health Care System  
H.P. 50 L.D. 57

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

WHITTEMORE of Somerset  
SNOWE-MELLO of Androscoggin

Representatives:

RICHARDSON of Warren  
FITZPATRICK of Houlton  
McKANE of Newcastle  
MORISSETTE of Winslow  
PICCHIOTTI of Fairfield

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-47)**.

Signed:

Senator:

BRANNIGAN of Cumberland

Representatives:

BEAUDOIN of Biddeford  
BECK of Waterville  
GOODE of Bangor  
MORRISON of South Portland  
TREAT of Hallowell

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

Senator **WHITTEMORE** of Somerset moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Brannigan.

Senator **BRANNIGAN:** Thank you Mr. President. Men and women of the Senate, I'm sure we're all interested in talking more about insurance this morning and so I thought I would not skimp on this bill. I know that it is terrible to talk about single payer. The government could and should run our insurance. I find it curious

because I am of an age where the government does run my insurance and runs it very well. I'm very glad that they do and I know that if they could run all insurance, and not give profits to large insurance companies and huge salaries to their executives, we could do it much easier and much more cheaply. All indications are that it can be done cheaply and well. Our sort of sister state, Vermont, is looking very seriously into doing this kind of delivery of health care and health insurance. We at least, at this time where there is so much ferment around insurance delivery and health delivery, ought to be looking at this one particular way that they are looking at and that most of the other counties in the world who do better than we do in health care do. They run their systems in some way like this. We've had a study in 2002. We've tried since then but have not had the funds to update it and now we need to see how it will fit if we were to choose some form of single payer. We need to see how it would fit if it ever fits with the federal law, the ACA. We have the money now to do that. The federal government has given money to all the states that applied for it. We have, with Massachusetts, applied. We have \$1 million to work on various ways of interlocking and interworking with the federal ACA. Therefore, this would be a part of that, a small part, a part that just makes us more whole. I would hope you would not choose this way and that you would choose a more universal way. Thank you very much, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Somerset, Senator Whittemore.

Senator **WHITTEMORE:** Thank you Mr. President. With all due respect to my colleague, the Senator from Cumberland, Senator Brannigan, I do agree with him. We have had a lot of conversation regarding insurance. I don't think we need to go over that again necessarily. This bill is about spending more money to do a study. I, personally, don't feel that at this time a study would be productive. We have a good bill that is now law. With the ACA Act coming into focus here, I think it would be money poorly spent. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Bartlett.

Senator **BARTLETT:** Thank you Mr. President. I was just reviewing this proposal and the fiscal note. It appears that this would not cost the state any money but would be a study that would be done if there is money available through a federal grant to look at this issue. It seems to me that if our goal is to provide the lowest health care cost possible we ought to explore every option. If it turns out that a single payer system could be put in place to provide health care, health insurance, at the lowest possible cost for Maine residents why in the world would we say no to that? All this study does is give us a chance to run the numbers and have an understanding as to whether it works or not. If it's too expensive we obviously wouldn't proceed down that path. If it is substantially cheaper than the other alternatives why wouldn't we want to do that?

On motion by Senator **BARTLETT** of Cumberland, 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 Aroostook, Senator Sherman.

Senator **SHERMAN:** Thank you Mr. President. Ladies and gentlemen of the Senate, I didn't speak on a prior bill that we dealt with that I finally figured out what the blueprint was. I'm really rising to talk about the Vermont piece because I took a look at that. In something called The Economist magazine, that some of you may know because it's a worldwide magazine dealing with investments among other things, they talk about Vermont. I should have run it off. It's about a page and a half. It says Vermont's in turmoil. They can't figure out what the funding is going to be. There is a whole series of issues about Vermont. To think that we are going to look to Vermont tomorrow and see what the single payer health care looks in Vermont, I think we're chasing the wind. I'm in favor of the Ought Not to Pass.

**THE PRESIDENT:** The Chair recognizes the Senator from York, Senator Sullivan.

Senator **SULLIVAN:** Thank you Mr. President. Men and women of the Senate, I'm not a real proponent of single payer, in of itself. However, the money is there and I fully supported L.D. 1333 saying to both this side of the aisle and the other that I wasn't sure if this was the right thing. I'm not sure what the consequences will be. It may definitely hurt the rural people. It may not. If the money is there to do a study it may be possible that out of this study we get one, two, or three ideas to put into making our insurance work. I've heard people from both sides of the aisle say we're probably going to have to tweak something. Maybe there is an idea. My mother, God rest her soul, I used her the other day about a broken clock telling time twice a day and here's another one. Maybe there are pieces there. If the money is available what's wrong with a study? We might just glean one or two ideas that allow us to make a piece of that work for whatever we end up as a program. We are actually in turmoil also. We aren't sure how things are going to look. Insurance is too important to our citizens. Money is available. Why walk away from it? Let's study it and see if we can get some ideas from it. I'm going to reject this report and, hopefully, we'll be able to do the study. The money is there and let's see if we can get one, two, or three ideas from it that will help us serve our people. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Penobscot, Senator Schneider.

Senator **SCHNEIDER:** Thank you Mr. President. Men and women of the Senate, I don't know about all of you but when I traveled around my Senate District what people are looking for is low cost, easy access, and affordable good quality health care. The same thing I want. We don't really have that right now. I'm open to all ideas because to me it's not about one or the other; it's about finding something that achieves those goals. This clearly is not only an issue in Maine. We have a national crisis with this issue. There are a lot of people who don't have health care. They don't have insurance because they can't afford either one. That's a problem. I wanted to share a story from an interaction I had several years ago with a constituent. I was in the Veazie town office. I just happened to be sort of walking by, looking at their bulletin board. A constituent walked by and said, "Are you Senator Schneider?" I said, "Well yes I am." He said, "I want to

talk to you about something. I have a bone to pick." He just started going on about health care and what a problem it was for his daughter, how it was just too expensive and she can't afford it, and all of this. I said, "Oh, what about you? Do you have health care?" He said, "Yes, I have the best health care there is." I said, "Really?" I figured it was like Anthem, a really good policy or something like that. He said, "I go to Togus. I'm a veteran. I have the best care. I love my health care." I said, "Oh really, well that is government-run health care." There is this major disconnect. It's like this fear of government-run health care. I'm not saying that I'm wedded to government-run health care, one way or the other. I just want those goals met, the goals of affordable, accessible, and quality health care. We don't have that right now. I remember, from a hospital bed, having my doctor say I had a have an extra day in the hospital. I had to call from my hospital bed, feeling very ill, to find out if my insurance company was going to cover that night. It's totally out of control and it's not a good system that we have right now. I think we all recognize that. It's how we get there to improve the system. I don't see that this is onerous. I just think that we need to try to look under every stone and examine every possibility to improve our health care system. That's why I can't support an Ought Not to Pass report because I think it's shortsighted and I think it's our responsibility to try to look at every possible potential option for us. I will tell you something, if the government offered to me today to buy into our veteran's health care plan, even though I think we could do a lot better for our veterans right now, I would do it in a heartbeat. I hope you will go against this Ought Not to Pass motion and let this study go through. Thank you very much.

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

Senator **SNOWE-MELLO:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise in support of the Ought Not to Pass. The reason is that we have just created the Guaranteed Access Plan, L.D. 1333, and there are many areas of this plan that we still need to work on and make changes. The Insurance and Financial Services Committee is going to be hard at work developing exchanges so that we can be in compliance with the Affordable Care Act. I also believe that we have done many, many studies over the years on single payer. Each study has said that it is totally unaffordable for this state to take up single payer. We can barely afford providing benefits for employees now. Imagine how it would be if the government also paid for everyone. I don't think it's the best care and I think that is really beside the point. I think that we are on our way with a great plan, L.D. 1333. Why would we want to subtract from that? We're moving forward and it's an excellent plan. Why would we want to interject something else when we've already made a commitment to go in this direction? I believe in the free market solution, which is the American way of the United States. I guess it is around your belief structure. I don't believe in good government and I don't believe government is the proper role to take care of health care policies. I'm asking people to please join the Majority Ought Not to Pass. Thank you very much.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Bartlett.

Senator **BARTLETT:** Thank you Mr. President. While listening to this debate I wonder what people are afraid of in terms of getting

more information. This isn't a bill to pass single payer health care. It's simply to take advantage of an opportunity to study whether it's a good alternative. Let's talk about the marketplace of ideas, making sure that all ideas are put on the table to stand on their own. If it is true that single payer is unaffordable and unachievable then a study will show it. Why are we afraid of that study? Is it because we might learn something new? That we might learn that single payer or some aspect of it could be helpful? In terms of the recent legislation that is supposed to take care of all of these problems, let's remember that there is a reinsurance plan which is the creation of a non-profit. If we want to leave it to the private sector then why did we just pass a health insurance plan that creates a non-profit to run a reinsurance plan? I think the answer is because any solution to the health care cost in this state and in this country will require a combination of public and private sector involvement. This study is simply one more way to look at what role the public sector could play. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Woodbury.

Senator **WOODBURY:** Thank you Mr. President. Men and women of the Senate, I've always supported the notion of some kind of universal system nationwide that assures some baseline level of coverage that is common across the entire population. I'm not convinced it needs to be a single payer system, but a universal system that provides a common uniform level of coverage to all Americans at some baseline level, with cost controls, but a universal system. Because of the ability of people to easily move their lives, not easily but because there is more mobility of people across states, I've never thought that a full universal system can work especially well as a single state. I think we've struggled with that particularly as a low income state that doesn't have the level of access to resources to be able to devote to such a comprehensive notion. Here we are now in a circumstance where there is a new national landscape. I know some people like the new national landscape and some people don't like the new national landscape, but the new national landscape envisions something very close to universal coverage, largely through private health insurance exchanges, but something that gets very close to what I believe is a core goal of a universal coverage system. I'm troubled by the way that this whole within Maine debate has really divided us over the past few weeks because I think we really do need to think carefully. I actually appreciated hearing the comments of the Senator from Androscoggin, Senator Snowe-Mello, about our needing to think about how we are going to implement in Maine the health insurance exchanges that are intended as part of this national model. Frankly, I voted for L.D. 1333 because it seemed like a reasonable step towards making our regulations in Maine have greater conformity with what was envisioned by this national model. I don't exactly like the framing of this proposed study as a single payer study per se but I like very much the attention that it directs to thinking about how Maine fits into the new national landscape that is out there. I'm going to oppose the motion and support the study, hoping that the study might get amended a bit more to be focused on how we adjust to the national landscape. I think we should go forward with some kind of study along these lines. Thank you very much.

**THE PRESIDENT:** The Chair recognizes the Senator from York, Senator Courtney.

Senator **COURTNEY:** Thank you Mr. President. Men and women of the Senate, I rise in support of the motion pending. I appreciate the comments that I've heard already this morning. I think that with moving forward with a study like this, I believe as I look at it, appears to point us in the direction of single payer as opposed to a more broad concept where you would look at integrating competition into the Affordable Health Care Act as we move forward. For that reason I will be supporting the pending motion.

**THE PRESIDENT:** The Chair recognizes the Senator from Lincoln, Senator Trahan.

Senator **TRAHAN:** Thank you Mr. President. Ladies and gentlemen of the Senate, I just wanted to rise briefly to give my little personal experience with this bill. I believe we have seen this bill every year that I've been in the legislature, to study single payer health care. We've done several studies related to single payer. If you'd like I could probably get you a stack on your desk this high of studies of single payer from both the State of Maine and other states. With that, I do want to caution us because many times we've heard promises of how state government was going to fix health care only to see it fail. I've seen time and time again our Medicaid system having problems. I've seen legislators stand on the floor of the other Body and tell me that Dirigo was going to cover everyone and then see those promises fall to the wayside. I just think that we have studied this at length and what we could do instead of paying for a new study or having someone else pay for a new study is to just get all the ones that have been already done and then we could have people review those and see if there are some things in those studies that we could use in our current debate. I will be supporting the current motion.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Somerset, Senator Whitemore 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 (#88)**

**YEAS:** Senators: COLLINS, COURTNEY, FARNHAM, HASTINGS, KATZ, MARTIN, MASON, MCCORMICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SHERMAN, SNOWE-MELLO, THIBODEAU, THOMAS, TRAHAN, WHITEMORE, THE PRESIDENT - KEVIN L. RAYE

**NAYS:** Senators: ALFOND, BARTLETT, BRANNIGAN, CRAVEN, DIAMOND, DILL, GERZOFSKY, GOODALL, HILL, HOBBS, JACKSON, LANGLEY, PATRICK, SCHNEIDER, SULLIVAN, WOODBURY

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion by Senator **WHITTEMORE** of Somerset to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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**Divided Report**

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Amend the Requirements for Publishing Municipal Legal Notices"

H.P. 318 L.D. 392

Reported that the same **Ought to Pass**.

Signed:

Senators:

THOMAS of Somerset  
COLLINS of York

Representatives:

COTTA of China  
BOLDUC of Auburn  
CELLI of Brewer  
HARVELL of Farmington  
TURNER of Burlington

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Senator:

SULLIVAN of York

Representatives:

BOLAND of Sanford  
CASAVANT of Biddeford  
GRAHAM of North Yarmouth  
KAENRATH of South Portland  
MOULTON of York

Comes from the House with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Reports **READ**.

Senator **THOMAS** of Somerset moved the Senate **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence.

On motion by Senator **ALFOND** of Cumberland, **TABLED** until Later in Today's Session, pending the motion by Senator **THOMAS** of Somerset to **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence.

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**Divided Report**

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Clarify the Operation of the Maine Commission for Community Service"

H.P. 508 L.D. 681

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

THOMAS of Somerset  
COLLINS of York  
SULLIVAN of York

Representatives:

COTTA of China  
BOLAND of Sanford  
BOLDUC of Auburn  
CASAVANT of Biddeford  
CELLI of Brewer  
GRAHAM of North Yarmouth  
HARVELL of Farmington  
KAENRATH of South Portland  
TURNER of Burlington

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-265)**.

Signed:

Representative:

MOULTON of York

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **THOMAS** of Somerset, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

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**Divided Report**

The Majority of the Committee on **TAXATION** on Bill "An Act To Improve the Maine Seed Capital Tax Credit"

H.P. 14 L.D. 22

Reported that the same **Ought Not to Pass**.

Signed:

Senator:

TRAHAN of Lincoln