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heard speak here today. It just flips it a little bit. Instead of saying to wait until they prove that they've been a good corporate citizen, it has a more positive spin of a deeply held conviction that you are innocent until proven guilty and that you have the chance to be a good corporate citizen of your own doing. Men and women of the Senate and Mr. President, we live in a new hyper-connected world where everything that we do ends up on the internet in a matter of minutes. I would submit to you that Land O'Lakes would suffer more greatly from a negative social media campaign than any narrowly crafted legislation that you might spend time and effort to avoid legally. Men and women of the Senate, I would ask that you would support this amendment and I submit that we are in a new era, with new rules for governing our behavior. Let's give this company a chance to do it with a clean slate. Thank you.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, I just wanted to thank the good Senator for trying to do his best to make what we did last better. I actually think I am opposed to the amendment because of two reasons. I don't know really for sure, I think a 5 year future report might actually people feel that they don't have to worry about anything until 5 years later. What happens to these workers if things really get bad? Will people just say, "Well, there is a report coming out in 5 years and we'll wait for that report before we do anything." I've seen that type of stonewalling. Also, the very reason why we just passed the bill was that it was going to cause uncertainty and friction for farms. All these farms were going to be worrying about what this report is going to say 5 years later. Maybe we'll just blanketly make farms being able to be unionized. That creates a lot of friction and uncertainty. I don't want that. I've got a lot of farmers in my district and I truly think they work hard and do a good job. The original bill wasn't going to affect them. This amendment actually would affect them. I'm not in favor of that. I'm opposed to the amendment.

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

THE PRESIDENT PRO TEM: The pending question before the Senate is the motion by the Senator from Hancock, Senator Langley to Adopt Senate Amendment "A" (S-460). 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 (#388)

YEAS: Senators: COLLINS, COURTNEY, FARNHAM, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PLOWMAN, RAYE, RECTOR, ROSEN, SAVIELLO, SHERMAN, SNOWE-MELLO, THIBODEAU, THOMAS, WHITTEMORE, THE PRESIDENT PRO TEM - DAVID R. HASTINGS

NAYS: Senators: ALFOND, BARTLETT, BRANNIGAN, CRAVEN, DIAMOND, DILL, GERZOFKY, GOODALL, HILL, HOBBS, JACKSON, JOHNSON, PATRICK, SCHNEIDER, SULLIVAN, WOODBURY

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion by Senator **LANGLEY** of Hancock to **ADOPT** Senate Amendment "A" (S-460), **PREVAILED.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-691) AND SENATE AMENDMENT "A" (S-460), in NON-CONCURRENCE.

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/12/12) Assigned matter:

HOUSE REPORTS - from the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Require Advance Review and Approval of Certain Small Group Health Insurance Rate Increases and To Implement the Requirements of the Federal Patient Protection and Affordable Care Act"
H.P. 877 L.D. 1179

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-725)** (6 members)

Tabled - March 12, 2012, by Senator **COURTNEY** of York

Pending - motion by Senator **WHITTEMORE** of Somerset to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence (Roll Call Ordered)

(In House, March 8, 2012, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, March 12, 2012, Reports **READ**.)

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

Senator **BRANNIGAN:** Thank you Mr. President. Men and women of the Senate, you may remember that a few weeks ago the Supreme Court denied Anthem's request for a 9.2% increase in the rates on small individual groups. It was excessive they said. Unfairly discriminatory. They reduced it to 5.2%. This isn't unusual. It's happened up until now quite often. They balanced the wishes of a large corporation with the needs of individual people. By the superintendent deciding that this reduction would be in effect and by the Supreme Court saying yes, that the superintendent was correct, they saved millions of dollars, an estimated, I think, \$3 million, to our folks who buy those kinds of insurances. This was based on the law before we did what we did in 1333, now Public Law 90. Probably people didn't realize with all of that going on that you were doing away with the

opportunity for the Superintendent of Insurance to look at rates like these before they went into effect. Now they go into effect and it's a whole different ballgame. This little bill would restore that piece of the law and we should, therefore, allow the superintendent to do his job. I ask you to vote against the pending motion. Thank you, Mr. President.

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

Senator **WHITTEMORE:** Thank you Mr. President. Ladies and gentlemen of the Senate, I'll try to be brief. This bill repeals the optional rate review process under the new insurance law, P.L. 90. The rate review process has been approved by the federal Department of HHS and in no way compromises the rate review process in regards to protecting the interest of the insured. This new process applies rate increases under 10% which are filed with the insurance bureau for their review. Any request for more than 10% will go through a full review, as before. L.D. 1179 would take us back to an expensive and unnecessary process of rate review and the extra cost is passed onto the premiums that we all pay for insurance. I might add if a review process on those that are processed under 10% done by the bureau is found to be out of line, that will be corrected. I would also note that according to the Bureau of Insurance the process used before P.L. 90 can cost \$50,000 or more per review. I suggest you support the Ought Not to Pass Report. Thank you.

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

Senator **BRANNIGAN:** Thank you Mr. President. It's okay that they are able to raise the rates 9.67% a year. I don't think we want that without some real stringent look see. Thank you.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Cumberland, Senator Alfond.

Senator **ALFOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, I'm just trying to do the math. I know that it's late in the day. This rate review could cost \$50,000, up to, apparently. Meanwhile, we have saved small businesses and individuals \$3 million. Three million dollars of savings to the people of Maine versus a \$50,000 study looking at if it's an excessive rate increase. I'm always going to side with the people of Maine. It's very disappointing when I hear these numbers. A \$50,000 study versus a \$3 million savings to the individuals and small businesses of Maine. I think the case is quite clear. Thank you, Mr. President.

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

Senator **WHITTEMORE:** Thank you Mr. President. I would like to respond to that. The rate review process for those that are under 10%, if it is found that they are inappropriate, will be addressed. When insurance companies file these rate reviews there are many, many of them that are under 10%. I might add that it is not just because the insurance company wants to make more money all of a sudden. These increases are brought forth by the high cost of health care. That's going up in double digits

every year. That's the reason for these increased rates and their requests. Again, I ask that you follow my light on this.

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

Senator **BARTLETT:** Thank you Mr. President. I think I feel like I'm trying square a circle here, or vice versa. We're told that the insurance companies are simply raising rates because they have to and they are not going to have their numbers get close to that 10% rate. Yet we know that in this last go-round Anthem requested a 9.2% increase that was reviewed and reduced down to 5.2%. That means that they were 4% over what they needed. That is 4% over what was deemed to be appropriate. To me, that rate review process worked very effectively to save Maine people millions of dollars. I feel like we're sort of using today as corporate giveaway day and this is a new corporation, a new set of corporations. We're going to give them up to 10% profit increases every year. They can increase their rates up to 10% without a review. We've going to get rid of a process that we know was effective in saving Maine people, those are Maine individuals, Maine small businesses, Maine self-employed people, and their families, millions of dollars. Why? Because big insurance companies have come in and asked us to. Insurance companies who repeatedly put in requests for rate increases that are excessive, that are found by Maine courts to be excessive. Again, I don't get it, why, once again, we're more concerned about a corporation's profits than we are about protecting the people of the state of Maine. I think if an insurance company comes in and wants an excessive rate increase that should be reviewed. I think asking for 4 percentage points more than you need, more than can be justified in a court of law, is excessive. It does not warrant a change in the law, a change in the law so that the next time the insurance company can put in a 9.2% rate increase and there would be nothing we could do about it. I just don't understand where our priorities are. Thank you, Mr. President.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Penobscot, Senator Plowman.

Senator **PLOWMAN:** Thank you Mr. President. Men and women of the Senate, when the next rate increase request goes in there is a way to do something about it. There is an automatic review to determine if it meets the initial threshold. The threshold, by the way, of 10% has been set by the AHC. Obamacare, compliments of the good Senator from Cumberland, Senator Brannigan. The rate is set at 10%. My question through the Chair, Mr. President, is: is there a way for an intervener in this process, including the Superintendent of Insurance, to ask for the more complete review if there is a feeling that the increase is excessive and that it will not pass without review? I would like to restate that question just so I get it right. Is there a way to trigger the review already, whether it be by the Superintendent of Insurance or someone in an intervener status? Thank you.

THE PRESIDENT PRO TEM: The Senator from Penobscot, Senator Plowman poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Cumberland, Senator Brannigan.

Senator **BRANNIGAN**: Thank you Mr. President. It is the Affordable Care Act, ACA. I do believe soon it we will all be happy to call it Obamacare, including the President, because we're all going to, once we get settled, understand what a great thing it is for our country. I think that answers the question. Anyways, we'll go on to say that, first of all, these rates don't go into effect prior, like the old days, to 90. They did not go into effect until they were reviewed. Now they go into effect right away. Is anybody going to challenge them? I don't know. We do know there will be a review if the Affordable Care Act has a repeal. Then there will be some review. Until that day, we are still going to be saddled with up to 10% increases without justification. Thank you, Mr. President.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON**: Thank you Mr. President. Ladies and gentlemen of the Senate, I wasn't going to answer that question, and I probably still won't. It sounds like the good Senator said it was Obamacare not etch-a-sketch care that would be covering that. I just got up because I wanted to say that I don't know a lot about the insurance industry, and I don't pretend to. I didn't sleep at the Red Roof Inn or anything like that. I do know that in Aroostook County health insurance seems to be blowing up because of some of the things that we did in this Body. It just seems like I need to bring it down to things that I'm familiar with. I don't deal with these insurance rates or anything on that level. I just hear people telling me, constituents, about how expensive health insurance is. I do understand, like I said, when I bring it down to what I understand, I've had a lot of cars in my time and I've sold cars. It just seems like this is where, when I was going to sell a car, I'd ask for more than what I actually hoped to get. There would be a give and take with a buyer. Hopefully I got what I actually wanted for the car, what I actually needed for a car. Under this plan it seems like you are going to be going out and asking for more for the car and you're going to be sure you are going to get a lot more than what you really wanted for the car.

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

Senator **WHITTEMORE**: Thank you Mr. President. I would like to respond one more to the time to the fact that all rate increase requests under 10% will be reviewed by the superintendent. An insurance company can't make a request and just have it be ignored and that premium applied. All requests will be reviewed. Of course, if that request is out of line, it will be adjusted. Also any request over 10% will be reviewed using the same process as before, the expensive one. I just wanted to make that clear. Thank you, Mr. President.

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

Senator **SCHNEIDER**: Thank you Mr. President. Men and women of the Senate, I think we should be moving ahead with anything that reduces the insurance for people. There have been some real problems with what we did with that Public Law that was mentioned. There was a commitment to fix those problems. I think voting against the pending motion will help resolve some of

the problems. Anybody who thinks that a business that is in the business of making profits will not ask for the maximum that they think they can get away with is just denying the obvious. The insurance companies have never been known to be altruistic. I seriously doubt that you will see them asking for very low increases because they answer to their shareholders. We answer to the people. We are supposed to be helping them. I would like all of us to go out into our Senate Districts and ask people if they can withstand continued increases, up to the amount of 10%, on their insurance rates per year. I guarantee you they are not seeing increases in their budgets by 10% to help offset those costs. Whether the superintendent can review, it sounds to me like what we did last time, and what this bill is trying to address, that removed the review process that would take away the responsibility of the people rising up to have this addressed. Now it sounds like all the burden is going to fall on the people of the state of Maine to rise up to answer to the big corporations who control so much of what is happening under the Dome, apparently, today. It really concerns me very greatly that we're not standing for the people. I think we owe it to them to fix some of the problems that we created last year, and I was one of the people who voted in favor of that. I think this bill helps fix one of those issues. I certainly hope that we will vote against the Ought Not to Pass motion. Thank you.

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

Senator **SNOWE-MELLO**: Thank you Mr. President. Ladies and gentlemen of the Senate, I need to rebut what was just spoken. Indeed, this bill will make things worse. It will make things far worse. What we did last year put reforms into place. We need to be patient. Our reforms, mostly, won't go into effect until July 1st of this year. This bill would just put us back. This bill will reverse steps taken by the Legislature last year to streamline regulations and reduce regulatory burden. This bill will do just that, it will add more regulatory burden. Maine consumers are protected against rates already that are too high because both State and federal law contain minimum loss ratio requirements that strictly limit insurance company profits and requires the insurers to pay rebates if not enough of the premium dollar is spent on medical claims. We have a very good commissioner. He will review any request to increase rates. I have a lot of trust and faith in our current Commissioner of Insurance. This bill simply will not lower costs and that is what I think we need to do. I think this Legislature set out to lower the high cost of health insurance for our consumers. This, ladies and gentlemen, L.D. 1179, will not do that. In fact, it will increase the rates. It might be well intentioned, but believe me, it's not going to do what you think it is going to do. I request that you support the pending motion. Thank you.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Cumberland, Senator Alfond.

Senator **ALFOND**: Thank you Mr. President. Ladies and gentlemen of the Senate, with all due respect to the previous speaker from Androscoggin, she mentioned last years Public Law 90 and that we need to have patience. I'll tell you what. After receiving numerous, numerous e-mails, either from my district or from around the state, of double digit increases, premium increases, to small businesses, people are running out of

patience. They are running out of a lot of patience because they have to pay their bills too. The small businesses, they have to pay their bills. What we are doing here is creating the elimination of a safeguard. I believe we do have a good superintendent too, but I believe what the superintendent is going to do is, he is not going to do rate review, he's going to do a rubberstamp of 9.9%, 9.8%, and 9.7%. That is what we're going to get in this state because, you know what, with insurances it's all about probability and it's all about trying to meet your bottom line. That's what they do and they are good at it. That's fine. The bottom line is that this not going to help Mainers at all today. What we're doing is taking the state backwards. Thank you, Mr. President.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Somerset, Senator Thomas.

Senator **THOMAS:** Thank you Mr. President. Ladies and gentlemen of the Senate, I'm not expert at health insurance or health insurance costs, but I think all of us in this building realize that the real drivers behind health insurance increases are the costs of health care itself. Health care itself is going up at much greater rates than the 10% that we're talking about in this bill. Insurance companies are paying much more than 10% in increased health care costs and they come and ask for smaller increases than what they are having to pay. If they are asking for smaller increases than they have to pay, why would we want to go into a real expensive rate review? The Commissioner of Insurance and the Commission of Insurance can look at these and see if they are out of line. The 10% figure is a figure that's set by the federal government. It's not set by this Body. It's not set by the Insurance Committee nor is it set by anyone in Maine. It is set by the federal people. These companies also have to meet a further requirement. They have to be paying out at least 80% of the premiums. They meet those two requirements, then the insurance commissioner will review them. If the proposal looks out of line, then he can ask for a full, very expensive, rate review, costing tens of thousands of dollars. It seems to me like it's a very commonsense bill and maybe we can get our attention off insurance rate increases and get our eyes onto the real driver of all of these increases, which is health care costs. Thank you.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Oxford, Senator Patrick.

Senator **PATRICK:** Thank you Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, what this bill is is another working people vote with a wallet bill. This is actually, like the good Senator from Aroostook said, one of those etch-a-sketch bills. Insurance companies will have the ability to turn it upside down, shake it out, and get an extra 4% without any worry about being challenged by anyone. I'm going to be voting on the side of working people who vote with their wallets. Thank you, Mr. President.

THE PRESIDENT PRO TEM: The Senator from Cumberland, Senator Brannigan, requests unanimous consent of the Senate to address the Senate a third time on this matter. Hearing no objection, the Senator may proceed.

Senator **BRANNIGAN:** Thank you Mr. President. First of all, it is the Superintendent of Insurance not the Commissioner. Secondly, one of my previous speakers must think the Supreme

Court is something because they reduced it from 9.5% to 5.5%. They thought that was fair, given all the costs as well as all the other factors. Insurance has these terms; file and use, or use and file. Right before this we made the mistake of passing this 1333. It was file and then use. If you file then it's looked at and it is heard. Most of the time it is too high, they go to the courts. They will eventually say, they almost always do, too high. Now we changed it. It is use and file. You put it into effect, it goes on and on until maybe somebody intervenes. It's just not the right way to do things. We've done so well with insurance, health insurance and others, over the years. This is not the way to do it. This just reverses a little bit of the work that was done by 1333. Thank you, Mr. President.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Penobscot, Senator Plowman.

Senator **PLOWMAN:** Thank you Mr. President. Men and women of the Senate, I've been getting e-mails about double digit increases ever since e-mails were the way people contacted us. I got the letters back when people wrote letters. Nobody was paying attention then, I don't think. Health insurance in Maine has been the frog in the pan. You've turned it up and you've turned it up very slowly, raising the rates over the last 20 years until you have managed to create a market where people can't afford to buy it. Every year, if people voted with their wallets it was because someone else could afford to pay those bills. That was usually the employer. I remember when employers paid 100%. I remember buying a policy for my guys back in 1992 that cost \$320 a month. That policy has more than doubled 20 years later. All we've done is push people out of being insured by driving up the cost. What I'm trying to say is that I am just thrilled that there is now someone paying attention to the double digit increases in health insurance. It just happens to be the people who drove up those costs over the last 20 years. It's about time the people got your attention. It's too bad they didn't vote with their wallets when you were going whole hog with the mandates and restrictions and raising the cost of health insurance. If they had done it then we wouldn't have to do this now. Welcome to the party. Now it's everybody's problem. We didn't start it, we are trying to change it. Thank you.

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

Senator **BARTLETT:** Thank you Mr. President. I do think there is going to be a party tonight at some boardroom, but not in too many homes across the state of Maine. Let's be clear based on what we just heard. We've heard that we've had increases for a long time, which we probably agree on and we all are very frustrated with and dislike. We're told in this bill that the solution to rising prices is to take the shackles off and let the insurance companies raise rates even more without supervision. It's craziness to say we're concerned about rate increases but we've going to allow insurance companies to go ahead and increase rates without proving they are justified. We have evidence year after year. Just Google Anthem Maine. Rate increases year after year. Anthem goes all the way to court to try to justify increases that are deemed to be excessive. If any of you look at other headlines for Anthem during that same time period, you can see the record profits. We all want to reduce the cost of health care. We all want to increase access to health care. This bill simply

gives insurance companies free rein. It says, "You can do it without supervision even though in the past your rates have been excessive. Go ahead. We're not going to watch. Let's see what happens." I can guarantee there will be a party tonight, but it's not going to be in any Maine home. Thank you, Mr. President.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, I was going to jump up and do one of them Point of Order deals that we seem to be getting so anxious on in this Body, impugning and all that. I just don't know the rules as well, so I just let it go. I did want to say that I don't know about double digit increases. I know that health insurance has certainly gotten to be extremely high for a long time. I'll agree with anybody on that issue. I know that, because of the stuff that we did in this Body last year, health insurance costs have gotten a lot higher in Aroostook County. I'm sure we're going to have some issues coming up here that I'll be able to jump up and say, "I told you so." I don't understand why we want to take away the ability for these rates to be looked at before they get implemented so we don't have the mistakes that we created last session that have definitely hurt people in Aroostook County.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Lincoln, Senator Johnson.

Senator **JOHNSON:** Thank you Mr. President. Ladies and gentlemen, I completely fail to understand one of the points that was made a moment ago. I've seen small businesses in my own district, because of the change in the bands in the last year, see tremendous increases; particularly in one company in Edgecomb that has mostly older employees. They are very faithful to their employees. They keep them on. They are not pushing them out. They know how to do their job very well. They saw a tremendous increase. Now what you are suggesting is that somehow taking a look at whether a company is filing an exorbitant increase is driving up prices further. I think we should be looking to protect those small businesses from increases that are not necessary, they are not in the best interest. I'm trying to do the math here. I'm seeing at study that cost \$50,000 versus a savings to small businesses and individuals of \$3.5 million. Frankly, I don't see how that action is going to drive rates up.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Waldo, Senator Thibodeau.

Senator **THIBODEAU:** Thank you Mr. President. Just a couple of things. I think it is important for everybody here to understand that file and use is a process that has been used in the small group markets for a long time, literally decades. This isn't a new concept. Secondly, the superintendent will still use the exact same review process for these rates. He will still use the same set of standards that they currently use. They may still take action if these rate adjustments are not prudent and acceptable. All this does is allow the insurance company to file their new rates and use them so that they don't have to plan ahead, literally, years because sometimes these rate cases take years to go through the process. If they overcharge the insured, there is a process to make sure that that money is returned. I appreciate

your patience. I know it's been a very long morning. I'll try not to delay any further. Thank you.

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

Senator **SNOWE-MELLO:** Thank you Mr. President. Ladies and gentlemen of the Senate, thank you for those facts. I just need to really repeat myself. Rate increases above this threshold are still subject to approval by the superintendent. The rating standards are not unchanged. Rates cannot be inadequate, excessive, or unfairly discriminatory. Thank you.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, wow. I mean, really. I can't believe that. People that are having a hard time to pay oil bills and stuff like that are the ones that have to just arbitrarily say, "Ya, okay, charge me more and maybe somewhere down the road I'll get it back." That doesn't sound like that makes sense. Really. You mean the company that has billions of dollars in profits and pays their executives millions of dollars should be the one that go out and take away from hard working Mainers in this state that are having a hard time to get health insurance already? That does not make sense to me. That is like, not to use a cliché, reverse Robin Hood. Seriously, that is okay. Let those people be the ones that foot the bill until it's determined if it's okay. Wow.

THE PRESIDENT PRO TEM: The pending question before the Senate is the motion by the Senator from Somerset, Senator Whittemore 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 (#389)

YEAS: Senators: COLLINS, COURTNEY, FARNHAM, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PLOWMAN, RAYE, RECTOR, ROSEN, SAVIELLO, SHERMAN, SNOWE-MELLO, THIBODEAU, THOMAS, WHITTEMORE, THE PRESIDENT PRO TEM - DAVID R. HASTINGS

NAYS: Senators: ALFOND, BARTLETT, BRANNIGAN, CRAVEN, DIAMOND, DILL, GERZOFOSKY, GOODALL, HILL, HOBBS, JACKSON, JOHNSON, 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**.