

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
OF THE
One Hundred And Seventeenth Legislature
OF THE
State Of Maine

VOLUME VI

SECOND REGULAR SESSION

House of Representatives
January 3, 1996 to April 3, 1996

Senate
January 3, 1996 to March 13, 1996

On motion of Representative MITCHELL of Vassalboro, the House recessed until 2:00 p.m.

(After Recess)

The House was called to order by the Speaker.

The following items were taken up out of order by unanimous consent:

CONSENT CALENDAR

First Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the First Day:

(H.P. 1238) (L.D. 1698) Bill "An Act to Expedite the Decision-making Process for Disability Retirement under the Maine State Retirement System" Committee on Labor reporting "Ought to Pass" as amended by Committee Amendment "A" (H-899)

(H.P. 1347) (L.D. 1842) Bill "An Act to Recodify and Revise the Maine Revised Statutes, Title 19" Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-897)

Under suspension of the rules Second Day Consent Calendar notification was given.

There being no objections, the Bills were passed to be engrossed as amended and sent up for concurrence.

ENACTORS

Emergency Measure

An Act to Amend Certain Motor Vehicle Laws Including Those Affecting the University of Maine System Plate and the Certificate of Lien (H.P. 1195) (L.D. 1639) (H. "A" H-852 and H. "B" H-854 to C. "A" H-847)

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

On motion of Representative STROUT of Corinth, rules were suspended for the purpose of reconsideration.

On further motion of the same Representative, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" (H-847) as amended by House Amendments "A" (H-852) and "B" (H-854) thereto was adopted.

The same Representative presented House Amendment "C" (H-895) to Committee Amendment "A" (H-847) which was read by the Clerk and adopted.

Committee Amendment "A" (H-847) as amended by House Amendments "A" (H-852), "B" (H-854) and "C" (H-895) thereto was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" (H-847) as amended by House Amendments "A" (H-852), "B" (H-854) and "C" (H-895) thereto in non-concurrence and sent up for concurrence. Ordered sent forthwith.

By unanimous consent, all matters having been acted upon were ordered sent forthwith.

The following items were taken up out of order by unanimous consent:

REPORTS OF COMMITTEES

Ought to Pass as Amended

Representative KERR from the Committee on Appropriations and Financial Affairs on Bill "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1996 and June 30, 1997" (EMERGENCY) (H.P. 1280) (L.D. 1759) (Governor's Bill) reporting "Ought to Pass" as amended by Committee Amendment "A" (H-892)

Report was read and accepted. The Bill read once. Committee Amendment "A" (H-892) was read by the Clerk.

Representative KERR of Old Orchard Beach presented House Amendment "A" (H-900) to Committee Amendment "A" (H-892) which was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Old Orchard Beach, Representative Kerr.

Representative KERR: Mr. Speaker, Men and Women of the House: I first must congratulate every member in this body for helping to contribute to another unanimous Committee report that truly reflects the people's wishes. We provide tax cuts, there are no gimmicks in this supplemental, no tax increases in this supplemental. We also are concerned about the long-term care piece. We have taken care of that. The child protection piece, we have all heard about the 2,400 cases that have never been even looked at. We addressed that in this supplemental. The Consent Decree that is very dear to all of us, which was originally never in the supplemental, and through the work of Chief Justice Mills, with her decision, I think it opened up a lot of eyes on this third floor, and those on the second floor, that we should address this issue, and we have done that in this supplemental. We have also addressed concerns that Democrats and Republicans had with the repeal of the Gross Receipts Tax. We have done that in this supplemental. We have also done something that hasn't been done, that I know of, in the past five years. We have put money into the Rainy Day Fund, approximately \$22 million. I think that you can all pat yourselves on the back for that. I look at that as being progress. I urge you to support this unanimous Committee report because it truly reflects what I believe we all got elected for, to take care of the most vulnerable people in this state, people with mental illness, people with special needs. It also provides what we have been consistently doing, we did that in the biennial budget, tax relief for Maine people, we do that. It also provides surplus money so that we can address the next biennial budget. As you know, there has been some concerns on the second floor about the Gross Receipts Tax, and the gap that may occur in the next biennium. We don't know that yet, but a good start, we don't know what that actual number will be, but a good start for this Legislature to pass on to the next Legislature is the Rainy Day Fund that can at least address that issue.

One item that I think we are all very proud of is the circuit breaker money. There is almost \$5 million left in that account. That money will be carried over to the next year in the biennium, FY 97. As you all know, we worked diligently together to provide, or increase the eligibility for the circuit breaker program. Because it was a new program there were some people who filed late, or weren't aware that they were eligible. That's why

Democrats and Republicans alike felt that it was the prudent thing to do to carry those dollars forward, and we jointly agreed to do that. So, again, I must thank every member in this Chamber for your work, and your cooperation, so that the Appropriations Committee could do their work. I want you to know that we appreciate it because it really and truly reflects what the people of this state wanted and what you want. Thank you.

House Amendment "A" (H-900) to Committee Amendment "A" (H-892) was adopted.

Committee Amendment "A" (H-892) as amended by House Amendment "A" (H-900) thereto was adopted.

Under suspension of the rules, the Bill was given its second reading without reference to the Committee on Bills in the Second Reading.

Under further suspension of the rules, the Bill was passed to be engrossed as amended by Committee Amendment "A" (H-892) as amended by House Amendment "A" (H-900) thereto and sent up for concurrence. Ordered sent forthwith.

The Chair laid before the House the following item which was tabled earlier in today's session:

Bill "An Act to Control Health Care Costs and Improve Access to Health Care" (H.P. 1277) (L.D. 1753) (C. "A" H-859) which was tabled by Representative LUMBRA of Bangor, pending adoption of House Amendment "A" (H-896) and later today assigned.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Lumbra.

Representative LUMBRA: Mr. Speaker, May I pose a question through the Chair?

The SPEAKER: The Representative may pose her question.

Representative LUMBRA: Looking at Committee Amendment "A," in the first paragraph it says that this would be eligible to families whose average gross monthly earnings, minus such costs for child care as is necessary for employment, does not exceed 185 percent of the federal poverty guidelines. Could someone answer what is that figure? How did you arrive at it? Thank you.

The SPEAKER: The Representative from Bangor, Representative Lumbra has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Durham, Representative Fitzpatrick.

Representative FITZPATRICK: Mr. Speaker, Men and Women of the House: The amendment, and to respond to the Representative from Bangor's question, for a family of four 185 percent of poverty is \$28,860. As you will notice in the other part of the amendment, we also talk about insuring up to 133 percent of poverty, which, again for a family of four, is slightly in excess of \$20,000.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Lumbra.

Representative LUMBRA: Mr. Speaker, Men and Women of the House: I would just like to tell you that I am a member of the Banking and Insurance Committee, and we did not have these figures when this came before us. We referred this section to the Committee on Human Resources, and we were looking and searching for some answers but never did receive them and never did debate this issue in Banking and Insurance. I would ask that you oppose this amendment, and I would ask for the roll call.

Representative LUMBRA of Bangor requested a roll call on adoption of House Amendment "A" (H-896).

The SPEAKER: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of more than one-fifth of members present and voting. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The Chair recognizes the Representative from Durham, Representative Fitzpatrick.

Representative FITZPATRICK: Mr. Speaker, Men and Women of the House: I would ask that you support this amendment for a number of reasons. This was a bill that the Human Resources Committee did have a chance to look at as part of the Maine Health Care Reform package. We also did ship part of it back to the Banking and Insurance Committee. Let me tell you what we looked at and what really drove us towards suggesting this plan. When the Maine Health Care Reform Commission looked at the notion of who to insure and what population to insure what they found is that in the State of Maine there are 36,000 children, or 11.3% of the population 18 and less, who have no health insurance. The National Commission on Children found that most uninsured children see a health care provider only when a condition has become so severe that it must be treated immediately and at the most expensive cost, usually a hospital setting. We also learned that two-thirds, or 34 States, Men and Women of the House that's 34 States, have designated special programs to provide health insurance, or health care, to children beyond those eligible for coverage under basic Medicaid. Maine is the only New England state, and one of 16 states nationwide that has not developed a program to address the significant number of uninsured children, even New Hampshire has a health care program for children. Even New Hampshire. What have the outcomes been for those states who have children's insurance programs? What has been consistent is that access to timely preventive and acute health care significantly reduces health care costs. AFDC caseloads go down and enrollment in other cash incentive welfare programs also are reduced. There has also been a consistent pattern of incentives provided for low income women to enter the workforce without the fear of losing health care for their children. A recent telephone survey of a number of states with special children's health care programs showed that in many states parents, primarily mothers, or former enrollees no longer miss work to take care of sick children and were able to obtain wage increases and promotions that took them off, and kept them off, welfare.

I tell you, Men and Women of the House, this is an extension of the welfare reform that we did in the first session, but it is also a move further than that. This allows men and women in Maine, who are working for a living and simply don't have access to health care, it allows many of those children who currently have no access to health care to move into the mainstream, to get the necessary shots and necessary treatment. It allows not for shifting cost on the hospitals and charity care. It brings us back into the mainstream with the rest of New England. I ask you to support the Majority Report. Thank you.