

# MAINE STATE LEGISLATURE

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**Legislative Record**  
**House of Representatives**  
**One Hundred and Twentieth Legislature**  
**State of Maine**

**Volume I**

**First Regular Session**

December 6, 2000 – May 17, 2001

Pages 1-889

Representative **PEAVEY**: Mr. Speaker, Men and Women of the House. To anyone who may care to answer, but probably to Representative O'Neil, how many insurance companies are there in Maine and how many insurance companies do not already offer this? It sounds like quite a lot of insurance companies are offering it to employers in Maine. My question is, how many insurance companies are there that are not offering it right now?

The **SPEAKER**: The Representative from Woolwich, Representative Peavey has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Saco, Representative O'Neil.

Representative **O'NEIL**: Mr. Speaker, Men and Women of the House. In answer to the question from the Representative, we have Cigna, Aetna, Anthem and the remnants of Tufts and Harvard as presented to us in the small group market. You have individual with small group and large group and then above that the so-called self-insured plans. In the areas we are looking at, group and individual, none are offering it other than through specific individual policies that people can get on their own in which case it wouldn't involve a partner at all. That is really the only recourse that they have as it was presented to us.

The **SPEAKER**: The Chair recognizes the Representative from Newport, Representative Kasprzak.

Representative **KASPRZAK**: Mr. Speaker, Ladies and Gentlemen of the House. I guess I don't understand the difference between a mandated offer and a requirement. We require people of the state to wear seat belts or there is a consequence. They are required to have their cars inspected. They are required to everything in a very long list. I am wondering what the difference is between a requirement and a mandate? Could someone explain more clearly to me a mandated offer, which seems to be an oxymoron? Thank you.

The **SPEAKER**: The Representative from Newport, Representative Kasprzak has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Portland, Representative Dudley.

Representative **DUDLEY**: Mr. Speaker, Men and Women of the House. The difference here is that a mandate in most circumstances is a mandate that we are imposing on purchases of health insurance. Let me think of an example, chiropractic care. We have a mandate in the State of Maine for chiropractic care. Everybody purchases insurance in the State of Maine must have chiropractic care element in it. A mandated offer is just a mandate on the insurer. It tells the insurer that anybody coming to them wishing to purchase domestic partnership benefits will be sold it. They have to sell it to them if it is asked for. It is a mandate on these particular insurers.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 183**

**YEA** - Ash, Blanchette, Bliss, Bouffard, Brannigan, Brooks, Bruno, Bryant, Buck, Bull, Canavan, Chick, Collins, Colwell, Cote, Cowger, Cummings, Daigle, Dorr, Dudley, Dunlap, Duplessie, Estes, Etner, Fisher, Fuller, Gerzofsky, Green, Hatch, Hawes, Hutton, Jacobs, Kane, LaVerdiere, Laverriere-Boucher, Lemoine, Lessard, Lundeen, Mailhot, Marley, Matthews, Mayo, McDonough, McGlocklin, McGowan, McKee, Michaud, Mitchell, Murphy T, Muse C, Norbert, O'Brien LL, O'Neil, Paradis, Patrick, Peavey, Perkins, Perry, Pineau, Povich, Richard, Richardson, Rines, Rosen, Savage, Simpson, Smith, Sullivan, Tarazewich, Tessier, Thomas, Tobin D, Tracy, Twomey, Usher, Volenik, Watson, Wheeler GJ, Young, Mr. Speaker.

**NAY** - Annis, Belanger, Berry DP, Bowles, Bumps, Bunker, Carr, Chase, Chizmar, Clark, Clough, Crabtree, Cressey, Davis, Desmond, Duncan, Duprey, Foster, Gagne, Glynn, Goodwin, Gooley, Haskell, Heidrich, Honey, Jodrey, Jones, Kasprzak, Ledwin, Lovett, MacDougall, McKenney, Mendros, Michael, Morrison, Muse K, Nass, Nutting, Pinkham, Schneider, Shields, Snowe-Mello, Stanley, Tobin J, Trahan, Treadwell, Tuttle, Waterhouse, Weston, Wheeler EM, Winsor.

**ABSENT** - Andrews, Bagley, Baker, Berry RL, Dugay, Hall, Koffman, Labrecque, Landry, Madore, Marrache, McLaughlin, McNeil, Murphy E, Norton, O'Brien JA, Quint, Sherman, Skoglund, Stedman.

Yes, 80; No, 51; Absent, 20; Excused, 0.

80 having voted in the affirmative and 51 voted in the negative, with 20 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-370) was READ** by the Clerk and **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-370)** and sent for concurrence.

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

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The **SPEAKER**: The Chair recognizes the Representative from Lebanon, Representative Chick who wishes to address the House on the record.

Representative **CHICK**: Mr. Speaker, Ladies and Gentlemen of the House. LD 383, had I been present, I would have voted yes. LD 1665, had I been present, I would have voted yes.

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The following item was taken up out of order by unanimous consent:

**SENATE PAPERS**

**Non-Concurrent Matter**

An Act to Revise the Health Insurance Benefits Available to Retired Legislators

(H.P. 1092) (L.D. 1461)

**PASSED TO BE ENACTED** in the House on May 14, 2001.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-196)** in **NON-CONCURRENCE.**

The House voted to **RECEDE AND CONCUR.**

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

**BILLS HELD**

Resolve, Establishing the Committee to Study and Make Recommendations to Enhance the Governance of the Allagash Wilderness Waterway (EMERGENCY)

(S.P. 585) (L.D. 1761)

(C. "A" S-162)

- In House, **FAILED OF FINAL PASSAGE.**

**HELD** at the Request of Representative **DORR** of Camden.