

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**One Hundred And Thirteenth Legislature**  
OF THE  
**State Of Maine**

**VOLUME II**

**FIRST REGULAR SESSION**

May 26, 1987 to June 30, 1987

Index

Was reported by the Committee on Bills in the Second Reading, read the second time, Passed to be Engrossed, and sent up for concurrence.

(At Ease)

The House was called to order by the Speaker.

The Chair laid before the House the following matter: Bill "An Act to Prohibit Candidates from Receiving, Witnessing or Accepting Absentee Ballots" (H.P. 1254) (L.D. 1712) which was tabled earlier in the day and later today assigned pending passage to be engrossed as amended.

Subsequently, the Bill was passed to be engrossed as amended and sent up for concurrence.

The Chair laid before the House the following matter: Bill "An Act to Authorize the Increase of the Maximum Speed Limit to 65 Miles Per Hour" (H.P. 547) (L.D. 734) (C. "A" H-212) which was tabled earlier in the day and later today assigned pending passage to be engrossed.

On motion of Representative Smith of Island Falls, the House reconsidered its action whereby Committee Amendment "A" (H-212) was adopted.

The same Representative offered House Amendment "A" (H-232) to Committee Amendment "A" (H-212) and moved its adoption.

House Amendment "A" to Committee Amendment "A" was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Island Falls, Representative Smith.

Representative SMITH: Mr. Speaker, Ladies and Gentlemen of the House: We have heard a lot about raising the speed limit to 65 and what would it mean? Are we going to be going 75, 85, or 95? Just what are we going to be doing? Well, I would suggest to you probably those that do not have radar detectors might be going 75, but those with them, will probably be going 85 or 95. I believe they are for one purpose only and that is to go beyond the speed limit that is allowed.

We argued about the fine that we are going to impose -- whether it should be \$25 or \$50 and we are going to get a little tougher and we are going to make that \$50. So, I would say to you that, if we are really serious and concerned about the speed that is going to take place on 95, then we should adopt this amendment and prove to the public that we are lawmakers, not lawbreakers.

The SPEAKER: The Chair recognizes the Representative from Canaan, Representative McGowan.

Representative MCGOWAN: Mr. Speaker, Ladies and Gentlemen of the House: Whereas this amendment deals with an electronic device and the bill deals with the raising of the speed limit, I would pose a question, Mr. Speaker. Is this amendment germane to the bill?

The SPEAKER: Before the Chair responds, the Chair would inquire if the Representative is aware whether a speedometer is an electronic device?

The matter will be tabled pending a ruling by the Chair.

(At Ease)

The House was called to order by the Speaker.

The Chair laid before the House the following matter: Bill "An Act to Ensure the Availability of Group Accident and Sickness and Health Insurance to Retired Teachers" (S.P. 570) (L.D. 1703) which was tabled earlier in the day and later today assigned pending passage to be engrossed.

Representative Hickey of Augusta offered House Amendment "A" (H-233) and moved its adoption.

House Amendment "A" was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Hickey.

Representative HICKEY: Mr. Speaker, Ladies and Gentlemen of the House: This amendment clarifies the original intent of the bill, which was to ensure that retired teachers have access to group accident and health insurance. The rate for retired teachers would be comparable to the active teachers.

Subsequently, House Amendment "A" (H-233) was adopted.

The SPEAKER: The Chair recognizes the Representative from Lincoln, Representative Harper.

Representative HARPER: Mr. Speaker, Ladies and Gentlemen of the House: I move indefinite postponement of this bill and all its accompanying papers.

L.D. 1703 is a bill which had no public hearing, had a hurried work session yesterday at 8:30 in the morning, which many of us were unable to attend. This bill is mandating to all local participating districts that they offer a plan of group accident and health insurance to any retired teacher who had formerly held membership in a group plan.

According to my understanding from conversations with Jo Gill and Phil Gingrow and others, I am convinced that there definitely will be a substantial increase in the cost for the group rates for both active teachers and for local participating districts.

I urge indefinite postponement of this bill. I ask for a roll call.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Hickey.

Representative HICKEY: Mr. Speaker, Ladies and Gentlemen of the House: This bill just adds to the bill that was passed yesterday in the other body. It makes an opportunity for each group of teachers to be in an insurance program. The Maine Teachers Association and the Maine School Management both have these programs. There is no way that the communities have to be involved in it. I had a long talk with Mr. Gingrow on it too.

The SPEAKER: The Chair recognizes the Representative from Wilton, Representative Armstrong.

Representative ARMSTRONG: Mr. Speaker, Men and Women of the House: There is a substantial cost that you will be passing back to your local school district and however you want to vote on the bill, I think it is important that you know that right up front.

Basically, group insurance as you know, is based on the average age of the group. If your school district offers (as I believe almost all school districts do) group medical insurance as a paid fringe benefit to the teachers, group rates are based on the average age of the active group and the health claims and so on and so forth. Facts have proven everywhere that, obviously, if you have an older age group and you put them in with the younger age group, the rates are going to go up for everybody. The school districts pay the cost of the insurance. At least in my school district, the school district pays the cost of the teachers medical insurance. I think if the teacher wants to have his or her dependents covered, they pay their own, but as far as the teacher goes, the district pays it. Suddenly that

teacher who is in the group — of course if you put the retired people in that same group, the average age goes up, the price is going to go up. Then you are going to get more letters from the school superintendents saying, "Hey wait a minute, we just got notified from MTA, or Blue Cross and Blue Shield, or someone, that our group rates have risen substantially because now we have to absorb this group."

I hate to differ with my good friend from Augusta, but in talking with everybody I know of and I am not involved with group insurance, but everybody that I know of says that the minute that you mandate that the group has to include the retirees, up goes the price for everyone. The retirees, of course, would have to pay their own insurance like they do now, except for the bill that we passed yesterday that I debated saying that the state was going to pick up ten percent of the retirees' costs too. So the retiree would pay 90 percent.

With this bill today, we are talking about costs that are paid for by the school district. You put the retirees in that group, the average age of the group instead of being 27 is now 42 or whatever it is, and up goes the price of the thing. I think that is a fact of life. I think that if you vote for this bill, you are mandating an increase in the local districts. If anyone knows something contrary to that, I would be happy to listen, but based on that information, that is why I would urge that you support the pending motion to indefinitely postpone this bill.

The SPEAKER: The Chair recognizes the Representative from Lisbon, Representative Jalbert.

Representative JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: This is just a question of fairness to the retired teachers. Each and every state employee upon retirement does have his or her medical insurance paid for. I think to be fair, we should include the teachers. This is something that should have been done years ago. I would urge that you not vote to indefinitely postpone.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Hickey.

Representative HICKEY: Mr. Speaker, Ladies and Gentlemen of the House: I received letters and telephone calls from an awfully lot of teachers and, in no instance, have any of them cited that their community paid for their insurance. It has always been their cost according to them. Another thing I differ with my good friend, Representative Armstrong, on is the large percentage of these people are already in the Maine Teachers or the Maine School Management, these retirees are already in there. It is hard to see how the rate could escalate just because we are giving the ten percent.

The SPEAKER: The Chair recognizes the Representative from Wilton, Representative Armstrong.

Representative ARMSTRONG: Mr. Speaker, Men and Women of the House: I am not sure that Representative Hickey understood what I was saying. I was saying that the district pays the cost now for the active teachers. You put the retirees in that group and the price is going to go up for everyone. Sure, the retirees are still going to pay their own, less the ten percent on the bill we enacted yesterday, but the taxpayers, the local districts, are going to have to pay more to cover the active teachers. I think this is a clear case, if we are going to mandate that they do this, which is fine, there should be state monies included to reimburse the districts for the added cost of this group insurance. If we are going to mandate this additional cost back onto the local districts, let's

be bold enough and figure out what the costs are and come up with a state appropriation to reimburse the districts for the additional money that they are going to have to pay.

The SPEAKER: The Chair recognizes the Representative from Kittery, Representative Soucy.

Representative SOUCY: Mr. Speaker, Ladies and Gentlemen of the House: I have been silent since my amendment was indefinitely postponed. I am still opposed to this bill because I think it is setting up a discriminatory system. I kind of get a little irritated when people say it is for retired teachers. I wish they would say it is for some retired teachers because I will just remind you, there are potentially three thousand teachers in a participating district that will not be eligible under this plan. I am hopeful that the other body may return the bill back and maybe I can take further action.

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 the members present and voting. 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 pending question before the House is the motion of the Representative from Lincoln, Representative Harper, that L.D. 1703 and all its accompanying papers be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

## ROLL CALL NO. 98

YEA - Anderson, Armstrong, Bailey, Begley, Bickford, Bragg, Brown, Curran, Davis, Dellert, Dexter, Farren, Foss, Foster, Garland, Harper, Hepburn, Higgins, Holloway, Ingraham, Lawrence, Lebowitz, Look, MacBride, Marsano, Murphy, E.; Murphy, T.; Nicholson, Paradis, E.; Pines, Reed, Ridley, Salsbury, Scarpino, Seavey, Sheltra, Sherburne, Small, Soucy, Stevens, A.; Tamaro, Taylor, Tupper, Wentworth, Whitcomb, Willey, Zirkilton.

NAY - Aliberti, Allen, Anthony, Baker, Bost, Bott, Boutilier, Callahan, Carroll, Carter, Cashman, Chonko, Clark, H.; Clark, M.; Coles, Conley, Cote, Crowley, Diamond, Dore, Duffy, Dutremble, L.; Erwin, P.; Farnum, Gould, R. A.; Greenlaw, Gurney, Gwadosky, Hale, Handy, Hichborn, Hickey, Hoglund, Hussey, Jackson, Jacques, Jalbert, Ketover, Kilkelly, Lacroix, LaPointe, Lisnik, Lord, Macomber, Mahany, Manning, Martin, H.; Matthews, K.; Mayo, McGowan, McHenry, McSweeney, Melendy, Michaud, Moholland, Nadeau, G. G.; Nadeau, G. R.; Norton, Nutting, O'Gara, Paradis, J.; Paradis, P.; Parent, Paul, Perry, Pouliot, Priest, Racine, Rand, Reeves, Rice, Rolde, Rotondi, Ruhlin, Rydell, Simpson, Smith, Stanley, Stevens, P.; Stevenson, Strout, B.; Swazey, Telow, Thistle, Tracy, Vose, Walker, Warren, Webster, M.; Weymouth, The Speaker.

ABSENT - Hanley, Hillock, Holt, Joseph, Kimball, McPherson, Mills, Mitchell, Richard, Strout, D.; Tardy.

Yes, 47; No, 91; Absent, 11; Vacant, 2; Paired, 0; Excused, 0.

47 having voted in the affirmative and 91 in the negative with 11 being absent and 2 vacant, the motion did not prevail.

Subsequently, the bill was passed to be engrossed as amended by House Amendment "A" (H-233) in non-concurrence and sent up for concurrence.