

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE  
SECOND REGULAR SESSION  
JOURNAL OF THE SENATE**

In Senate Chamber  
Wednesday  
March 12, 2014

Senate called to order by President Justin L. Alfond of Cumberland County.

Prayer by Pastor Frank Gleason, CenterPoint Community Church in Anson.

**PASTOR GLEASON:** Thank you, Mr. President. Mr. President, Mr. Secretary, ladies and gentlemen of the Senate, let us pray. Gracious God, we are humbled today by our call to service. We are keenly aware of the impact that our decisions have on the lives of the people of Maine. It is because of that impact we ask for Your guidance this day. May we always seek justice, mercy, and truth. Let them be our guide in every decision we make. Grant us wisdom to know when to speak and when to remain silent and the courage to do so. I ask these things in the name of Jesus Christ. Amen.

Pledge of Allegiance led by Senator Richard G. Woodbury of Cumberland County.

Reading of the Journal of Tuesday, March 11, 2014.

Doctor of the day, Robert Chagrasulis, MD of Casco.

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

**PAPERS FROM THE HOUSE**

**Joint Resolution**

The following Joint Resolution:

H.P. 1296

**JOINT RESOLUTION HONORING WREATHS ACROSS AMERICA**

WHEREAS, Wreaths Across America is a yearly national program that honors the graves of veterans buried in Arlington National Cemetery; and

WHEREAS, in 1992, the Worcester Wreath Company in Harrington had a surplus of wreaths at the end of that holiday season and owner Morrill Worcester, who had been indelibly impressed by the national cemetery during a boyhood visit, realized he had an opportunity to honor the values of our nation and the veterans who made the ultimate sacrifice for their country; and

WHEREAS, with the help of United States Senator Olympia Snowe, arrangements were made for the wreaths to be placed in Arlington National Cemetery in one of the older sections that had seen fewer visitors through the years; and

WHEREAS, as other individuals and groups stepped in to assist, more grave sites were decorated and the delivery of wreaths became an annual event to quietly honor our country's veterans; and

WHEREAS, in 2005, a photograph of gravestones decorated with wreaths from Maine and covered in snow attracted national attention to Wreaths Across America and requests came pouring in from across the nation to support Wreaths Across America; and

WHEREAS, as so many people in other states wanted to help and emulate the Arlington National Cemetery project at their national and state cemeteries, Mr. Worcester began sending 7 wreaths to every state, honoring the branches of the military and prisoners of war and personnel missing in action; and

WHEREAS, in 2006, with the help of the Civil Air Patrol and other civic organizations, simultaneous wreath-laying ceremonies were held at over 150 locations around the country, with the Patriot Guard Riders volunteering as the escort for the wreaths going to Arlington National Cemetery; and

WHEREAS, the annual Veterans Honor Parade, traveling the East Coast in early December from Harrington to Arlington National Cemetery, has become known as the world's largest veterans parade; and

WHEREAS, Wreaths Across America is now a nonprofit 501(c)(3) organization and throughout the year works to remind people of the importance of the program's mission, "Remember. Honor. Teach."; and

WHEREAS, in 2013, Wreaths Across America delivered more than 142,000 wreaths to Arlington National Cemetery and 900 other cemeteries and memorials across the country; and

WHEREAS, as the 150th Anniversary of the establishment of Arlington National Cemetery approaches in 2014, Wreaths Across America seeks to reach a point where every gravestone in Arlington National Cemetery is honored with a wreath; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature, now assembled in the Second Regular Session, on behalf of the people we represent, send our

appreciation to Morrill Worcester and Wreaths Across America for their extraordinary commitment to honoring the memory of the brave men and women who served this nation so valiantly in the defense of freedom; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to Morrill Worcester and to Wreaths Across America with our appreciation and respect.

Comes from the House, **READ** and **ADOPTED**.

**READ** and **ADOPTED**, in concurrence.

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### COMMUNICATIONS

The Following Communication: S.C. 796

**STATE OF MAINE  
126<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

10 March 2014

The 126<sup>th</sup> Legislature of the State of Maine  
State House  
Augusta, ME

Dear Honorable Members of the 126<sup>th</sup> Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 168, "An Act To Establish Reasonable Restrictions on the Use of Fireworks."

Contrary to its title, this bill proposes heavy handed regulations that are far from reasonable. For instance, if this bill were to become law, it would be unlawful for people in Maine to use fireworks before noon on Independence Day. The purpose of this legislation is clear. This bill seeks to roll back the existing legal framework that permits the use of approved fireworks.

The bill makes clear that the use of fireworks that create "loud" and "unreasonable" noises can result in a conviction for disorderly conduct. This clarification is redundant but it is helpful in understanding why this bill is largely redundant as well. If someone uses fireworks unreasonably, then people who suffer from that use already have recourse in our statutes. Further, broad, restrictions, passed on a state level, are not only redundant but they are also harmful to Maine's emerging retail fireworks industry.

There are fireworks stores around the state that are starting to open their doors. The owners of these businesses have significant financial investments on the line. People depend on the jobs these stores provide. The fireworks industry is important to Maine's economy and we need to provide it some degree of certainty. This bill does not accomplish that vital goal.

For these reasons, I return LD 168 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ** and **ORDERED PLACED ON FILE**.

The accompanying Bill:

An Act To Establish Reasonable Restrictions on the Use of Fireworks

S.P. 57 L.D. 168

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

Senator **JOHNSON:** Thank you Mr. President. I'd like to say just a few words about some of the things raised in the Governor's letter. It's unfortunate that he came to this conclusion because this bill does nothing to get in the way of fireworks businesses selling their products. It does nothing to limit who can buy fireworks, or when or where they can buy fireworks. This is not a bill that regulates the sale of fireworks. The Chief Executive suggests that this is redundant because loud and unreasonable noises can result in a conviction for disorderly conduct. Well I can tell you that it was the opinion of a number of district attorneys that, in fact, that was not the case because unlike other kinds of noises there is actually a place in statute where it says it is legal to use fireworks during certain times. No one would expect that fireworks are going to not make noise, it is therefore a legal presumption that it is okay to make that noise any of those times.

I'm going to spend just a moment talking about the reasons why people need to bring reasonable judgment back into the use of fireworks, why we need to rely on and give our law enforcement officers a means to apply that which the Governor felt was already applicable, loud and unreasonable use. There have been many calls and many e-mails that I received from constituents after the fireworks law was enacted and after it had time to go into effect and we had a lot of fireworks use. One constituent told me how their neighbor likes to frequently set off a bunch of fireworks in the field right next to their horse farm. On every occasion it brings terror to their horses, endangering the horses and the handlers. He spoke with the neighbor, but to no avail. This is a circumstance where a reasonable conversation with a law enforcement officer, and an opportunity for disorderly conduct to be applicable to that use, would have been appropriate. It would have provided some redress to this unreasonable use by a neighbor. A constituent in Jefferson wrote about their cat and older dog. They are absolute terrified by the abominable noises, and the noise is incessant since the law was passed. One of their neighbors uses fireworks appropriately. The other neighbor sets them off every single day and night, early and late, that they are there. I'll spare you some of the details, but it involved a very large dog and attempting to tranquilize it by an owner who weighed barely as much as the dog. A constituent in Bristol wrote about hearing fireworks nearly every week on their road. Really it's a violation considering how disturbing it is to your Bassets and really to the person who lives on that quiet road on a lake as well. Someone wrote in the local paper, the Lincoln

County News, a New York visitor, that said, "This was a lovely peaceful town and a place I loved. The fireworks produced not only noise pollution but air pollution as well. I'm saddened by the new state law and that the town voted this into effect. Where I am from fireworks are banned." More importantly, she goes on to say, "I will think very hard about coming here again and will consider other counties to visit in the future." A constituent from Bremen wrote about our eco-tourism industry as a valuable asset to many of us and was outraged to be forced to hear and endure fireworks blasting over pristine lakes and rich pine forests. "The cry of a loon and a crystal clear night sky is expected," she wrote. A year-round resident in Bremen on Biscay Pond wrote, "I've become greatly troubled by the rapidly declining quality of life in my community as a result of Maine's recently passed consumer fireworks legalization law. The excessive noise pollution that has been introduced into my area has changed the near perfect environment into one that is toxic. I hope that you can help me figure out a way to make things right in my area again." Perhaps the most disturbing is the people who raised for me the impact on some of our veterans for which fireworks of one kind or another triggers PTSD episodes. Someone wrote to me suggesting that there is no proof of that really happening, so I made a point of asking people when I was campaigning last time. Here are a couple of stories that I heard at people's doors that really stuck in my mind. One who lives on a lake told me how a friend and fellow veteran, former Marine and the kind that fills a doorway, who visited him and, because of fireworks on the lake that evening, spent an entire sleepless night and following day before he left struggling with the PTSD it triggered. His friend has not returned. Another told me how the shooting range down the road and small fireworks that sound like weapons fire do not bother him, but fireworks that sound like mortar leaving him needing anti-anxiety meds for the next four days.

I say to you that it's not redundant. There is a need for this. There is a need for reasonableness, for a conversation between a law enforcement officer and a neighbor who is unreasonable about what disorderly conduct is, to enter into a consumer fireworks use. I ask for your support in voting to Override this veto. Thank you.

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

Senator **PLUMMER:** Thank you Mr. President. Men and women of the Senate, I will remind you that when this bill was originally passed there was a built-in safeguard. Any community in the state of Maine can exercise local control and pass an ordinance to do what this proposal, or any other need for that community, wants to do. Thank you, Mr. President.

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

Senator **GERZOFSKY:** Thank you Mr. President. Ladies and gentlemen of the Senate, this bill came through Criminal Justice and Public Safety last year. We kept it as a carry-over so we could see if we could work with the industry to come up with a reasonable way of being able to address our constituent's concerns about the noise that it would bring, the destruction to their lives it would bring, and, in many cases the destruction of their business, which might be dealing with livestock. We had a sub-committee set up during the summer that tried its best, met

often trying to come up with different scenarios. Of course, when you're trying to do this, and impact a new industry that we don't really know the benefits or the harm from and after 60 years of not allowing fireworks in Maine except by professionals, we wanted to give a lot of latitude to the companies that were coming here to start. We looked at what the federal guidelines were to help direct us and we also, Mr. President, looked at the individual problems we had. Senator Plummer just mentioned that when the bill came through in the first place that the communities had certain opportunities. The opportunities were to either opt out or not. My community, one of my communities, opted out. One of my communities opted in. Well that's fine unless you live on the border and you have the effect of one side of the border that was not intended on the other side of the border. We looked at this very carefully and we brought a lot of people in to talk to us, especially law enforcement because there is no sense in enacting something that was unenforceable. Common sense goes a long way in a lot of our debates. One thing that we do very, very well in training our law enforcement, our sheriffs, our police, our State Police, is we teach what common sense really means. Living in the communities and knowing the people that live in the communities, they know the neighbor relationships that they have. Sometimes a neighbor might not like a neighbor and he's going to let off fireworks at 10 o'clock in the morning and at 10 o'clock at night just for the heck of it, just to kind of drive his neighbor nuts. That's not being a good neighbor. We took those things into consideration, Mr. President, when we were debating this. We came to the conclusion that it was very simple to put in an ordinance statewide using common sense and using disturbing the peace. We already have disturbing the peace. We know exactly what it is. There is a Senator that might want to sit on his back porch and play the saxophone, we talked about it, at 10 o'clock at night. Some people might say that's disturbing the peace. Very few people thought it was a great moment in music history. If it's done in the backyard, and there is really nobody around, whose peace are disturbing besides the squirrels and chipmunks? If you are sitting on the front stoop you might be disturbing people by playing the saxophone. Talking to law enforcement, and the sponsor of the bill and talking to a lot of the constituents that came in, we kind of got it down to what was disturbing the peace, how to relate that to law enforcement being able to come over and say, "You know, sir, it's 10 o'clock on a Thursday night and we really think if you shoot off some more fireworks you're going to be disturbing the peace of your neighbors that might have to go to work tomorrow." If it's Friday night or Saturday night I think the police will look at it differently. We left it up to the police departments, the sheriff departments, the State Police, or whoever patrolling that area, to use common sense, which we spent an awful lot of money trying to train them as to what that means. We used disturbing the peace because you can actually disturb the peace. We weren't creating any new area of legal argument. We thought we did a very good job. I'm very saddened that the Chief Executive chooses to veto such a common sense bill, a bill that's going to help an awful lot of our constituents.

I know a lot of my constituents were very happy that we could do that once we talked about it. Ladies and gentlemen, I know it's hard to overturn a Governor's veto. I know all about that. I've been here a while. Why don't we think about common sense today. Why don't we think that our law enforcement knows how to react to these disturbing the peace. They've been doing it for years. Just think, if you had somebody move in next to you that

didn't really like the color of your plate and they wanted to be a pain in the neck. He could really be one until the sheriff came over and says, "You're really disturbing my peace. You're really disturbing your neighbor's peace. Why don't you guys just work it out. Use the weekend. Don't use Wednesday and Thursday. If you have farm animals close by, be a little bit respectful and let them know that at 8 o'clock on Friday night you're going to be setting off fireworks to celebrate your wife's anniversary. Let's work together." That's what this bill really did. That's really what my committee came up with. That was our Majority Report. A unanimous committee report. I think that we really should, the Majority Report. It was the overwhelming consent of the committee that we could do something about it. Thank you, ladies and gentlemen, my friends on both sides of the aisle.

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

Senator **COLLINS:** Thank you Mr. President. Ladies and gentlemen of the Senate, my hometown, the town of Wells, prohibits the firing of, shooting off, of fireworks. I'd like to remind this Body that it was the choice of the citizens of the town of Wells to make that choice. Each community in Maine has that prerogative to put it on the ballot, have a vote on it, of whether or not to allow the firing off of fireworks. The town of Wells prohibits the use of fireworks. Others communities in my Senate District have also done the same thing. Clearly it comes down to a choice of the community because enough town folks decided, "We don't want this to happen in our community." Get out there and get the signatures, put it on a petition, put it on the ballot, and have a town wide vote. Thank you, Mr. President.

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

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, this is a bill that I actually supported in the 124<sup>th</sup> and the 125<sup>th</sup>. I actually was someone that thought that having fireworks in this state would be a good thing. The idea that the towns can go out and completely stop it is, I think, exactly what the problem is. I think some towns don't want to completely stop it, but they'd like to have some reasonable restrictions around it. That's something that I absolutely heard while I was campaigning after we initially passed it. A lot of people agreed with having fireworks in the state, but didn't want fireworks to be lit off at 9 o'clock at night. They didn't want them lit off around horses, cows, or things like that. I think this bill tries to put some reasonable restrictions around when they can be used. I've had numerous complaints about people firing fireworks around lakes. The littering it causes. Things like that. I think this bill doesn't attempt to stop fireworks. It attempts to put some reasonable restrictions around the use of them. That's why I'm supporting it even though I am a big supporter of people being able to use fireworks. I think there's a time and a place and right now what we seem to have is either full bore or not at all. That's really not what's good for the state and good for the fireworks industry. I think that having people feel better about the use of these would actually help the industry. That's why I'm supporting Overriding the veto today.

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

Senator **HASKELL:** Thank you very much Mr. President. Ladies and gentlemen of the Senate, I'd like to talk a little bit about the experience in my city. That is that there have been over 1,000 calls to service to our police department in this last year regarding fireworks. It has cost our city tens of thousands of dollars. I won't give you a number because I don't know that I can actually tell you what those thousands calls took. Please understand that this is a matter where the simple inclusion of this in the list of things that are described as disturbing the peace would be a valuable tool for the officers who go out and answer these over 1,000 calls. What we're doing here is simply adding a definition to the definition of disturbing the peace, which has several things in it, if you take a look at it. We are adding setting off fireworks as being a disturbing the peace. Thank you, Mr. President.

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

Senator **JOHNSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, I just wanted to respond very briefly to the suggestion. People before me have been right. Certainly towns can ban fireworks. They can enact other ordinances or restrictions. What they can't do, that we can do, is change that presumption in law that fireworks use is reasonable at the times prescribed in law. We can create the opportunity for law enforcement officers, which the towns cannot do, to consider whether a given use may be disorderly conduct, if it's unreasonable. That only we can do. The towns cannot. Thank you.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor?"

In accordance with Article 4, Part 3, Section 2, of the Constitution, the vote was taken by the Yeas and Nays.

A vote of yes was in favor of the Bill.

A vote of no was in favor of sustaining the veto of the Governor.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#446)**

**YEAS:** Senators: BOYLE, CAIN, CLEVELAND, CRAVEN, DUTREMBLE, GERZOFISKY, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, LACHOWICZ, MAZUREK, MILLETT, PATRICK, TUTTLE, VALENTINO, VITELLI, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND

**NAYS:** Senators: BURNS, COLLINS, CUSHING, FLOOD, HAMPER, KATZ, LANGLEY, MASON, PLUMMER, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, WHITTEMORE, YOUNGBLOOD

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, and 20 being less than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED**.

The Secretary has so informed the Speaker of the House of Representatives.

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The Following Communication: S.C. 797

**STATE OF MAINE  
126<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

10 March 2014

The 126<sup>th</sup> Legislature of the State of Maine  
State House  
Augusta, ME

Dear Honorable Members of the 126<sup>th</sup> Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 523, "An Act To Require Health Insurance Coverage for Hearing Aids for Young Adults."

This bill raises from 18 to 26 the age up to which a health insurance plan must cover hearing aids. When the Legislature mandates an expansion of health insurance benefits, someone has to pay for the increased benefits. While there will be some people that benefit from the increased coverage, all private health insurance customers must bear the cost. These increased benefits raise premiums for private health insurance customers, and little by little, plans become less affordable for everyone.

In Maine, as of 2012, legislative mandates added approximately 8% onto private health insurance premiums. This is over and above the greater issue of cost shifting to private health insurance by Medicaid. Increasing premiums often result in individuals dropping coverage. We have taken significant steps in the last few years to successfully lower health insurance costs, most notably through P.L. 90. We want private health insurance to be affordable – we should not reverse course at this time by increasing premiums for hardworking Mainers.

For these reasons, I return LD 523 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Require Health Insurance Coverage for Hearing Aids for Young Adults

S.P. 213 L.D. 523

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

Senator **VALENTINO:** Thank you Mr. President. Members of the Senate, I rise today because I'm not sure how the vote is going to be. This bill passed on February 26<sup>th</sup> with a vote of 24-11. Twenty-four to eleven is enough to Override the veto. I talked with several members before session today and basically said that if I had the 24 votes I would not stand up. Obviously, I'm standing today because I'm not sure that I have the 24 votes. Where I'm not sure I have the 24 votes I'm going to tread lightly because I do not want to say anything inflammatory. I do not want to turn anybody. I just need your vote. It may be just one vote that I need. It may be two votes. I hope you look at the board and you count the lights.

I just want to stick to the facts of the bill. The facts of the bill are that this just increases hearing aid coverage from the age 18 to age 26. The exact same thing that we have for coverage for young adults now to stay on their parent's health insurance. There is no fiscal note attached to this bill. This bill doesn't even have to go to the Appropriations Committee. There is no new Mandate that is being created on this bill. It's simply increasing the age from 18 to 26. I just want to read to you, and I read it before but I know we have a lot of young adults also here today, testimony from one young woman that came before the committee. "My name is Emma Foster. I am 13 years old and I live in Orrington. I have a bone conduction hearing loss. I was diagnosed when I was 2 days old but didn't receive equipment until I was 9 months old. Needing hearing aids to me is like needing a wheelchair. If you took a wheelchair from a person, he wouldn't be able to walk. If you took hearing aids away from a deaf person, they wouldn't be able to hear. If you told me to take off my headset, my bone conductor aid, and were to start a conversation with me, you would not make very much progress. Why? Because I'm deaf without my headset and hearing aid. Now you would say, 'Emma, go home and go to school and get a job.' How could I, because I would be deaf without this. My hearing is not going to change. I'm not going to wake up some day and it will be different. I will still need my hearing equipment when I am 18 years old. Please consider us kids as succeeding in life and helping us continue on that path." It was a strong committee vote, 12-1. It was a strong vote on the floor. There is no fiscal note. There's not much more I can say. Please just vote your conscience and I hope we get to 24. Thank you.

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

Senator **GRATWICK:** Thank you Mr. President. Ladies and gentlemen of the Senate, I, too, wish to speak in favor of this. I haven't a great deal to add to what Senator Valentino has said except that, from the medical perspective, this makes enormous good sense. The major thing in medicine to prevent illness, to keep people employed, to keep them active, to have them contribute to our economic future, and be able to take care of their families. This does that. It's a bill which is not a Mandate. It's a bill with no cost for us. I think it has great merit. I will very

much hope people will follow Senator Valentino and my lights.  
Thank you, sir.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor?"

In accordance with Article 4, Part 3, Section 2, of the Constitution, the vote was taken by the Yeas and Nays.

A vote of yes was in favor of the Bill.

A vote of no was in favor of sustaining the veto of the Governor.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#447)**

YEAS: Senators: BOYLE, CAIN, CLEVELAND, CRAVEN, DUTREMBLE, FLOOD, GERZOFKY, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, LACHOWICZ, LANGLEY, MAZUREK, MILLETT, PATRICK, SAVIELLO, TUTTLE, VALENTINO, VITELLI, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND

NAYS: Senators: BURNS, COLLINS, CUSHING, HAMPER, KATZ, MASON, PLUMMER, SHERMAN, THIBODEAU, THOMAS, WHITTEMORE, YOUNGBLOOD

23 Senators having voted in the affirmative and 12 Senators having voted in the negative, and 23 being less than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED**.

The Secretary has so informed the Speaker of the House of Representatives.

**SENATE PAPERS**

Bill "An Act To Create a Secure, Therapeutic Mental Health Unit"  
S.P. 727 L.D. 1814

Presented by Senator GERZOFKY of Cumberland.  
Cosponsored by Representative DION of Portland and Senators: President ALFOND of Cumberland, CRAVEN of Androscoggin, DUTREMBLE of York, FLOOD of Kennebec, HASKELL of Cumberland, KATZ of Kennebec, LACHOWICZ of Kennebec, PLUMMER of Cumberland, Representatives: CROCKETT of Bethel, GATTINE of Westbrook, GIDEON of Freeport, LAJOIE of Lewiston, PLANTE of Berwick, PRIEST of Brunswick, TYLER of Windham.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

On motion by Senator **GERZOFKY** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent down for concurrence.

Resolve, To Create the Task Force To End Student Hunger in Maine

S.P. 729 L.D. 1819

Presented by President ALFOND of Cumberland.  
Cosponsored by Representative MacDONALD of Boothbay and Senators: LANGLEY of Hancock, MILLETT of Cumberland.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

On motion by Senator **MILLETT** of Cumberland, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent down for concurrence.

**Pursuant to Public Law  
Joint Standing Committee on Judiciary**

Senator VALENTINO for the **Joint Standing Committee on Judiciary**, pursuant to Public Law, chapter 229, section 3 asked leave to report that the accompanying Bill "An Act To Facilitate Public Records Requests to State Agencies"  
S.P. 728 L.D. 1818

Be **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Report **READ** and **ACCEPTED**.

**REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Sent down for concurrence.

All matters thus acted upon were ordered sent down forthwith for concurrence.

**REPORTS OF COMMITTEES**

**House**

**Pursuant to Resolve**

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Protect the Public from Mosquito-borne Diseases"

H.P. 1299 L.D. 1808

Reported that the same be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, pursuant to Resolve, chapter 13, section 2.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

Report **READ** and **ACCEPTED**, in concurrence.

**REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, in concurrence.

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**Pursuant to Statute**

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Implement the Recommendations Contained in the State Government Evaluation Act Review of the Maine Public Employees Retirement System"  
H.P. 1297 L.D. 1806

Reported that the same be **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, pursuant to the Maine Revised Statutes, Title 3, section 955, subsection 4.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

Report **READ** and **ACCEPTED**, in concurrence.

**REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in concurrence.

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**Pursuant to Statute**

The Committee on **JUDICIARY** on Bill "An Act Concerning Meetings of Public Bodies Using Communications Technology"  
H.P. 1300 L.D. 1809

Reported that the same be **REFERRED** to the Committee on **JUDICIARY**, pursuant to the Maine Revised Statutes, Title 1, section 411, subsection 6, paragraph G.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

Report **READ** and **ACCEPTED**, in concurrence.

**REFERRED** to the Committee on **JUDICIARY**, in concurrence.

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**Ought to Pass**

The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Resolve, Regarding Legislative Review of Portions of Chapter 106: Low Sulfur Fuel, a Late-filed Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

H.P. 1271 L.D. 1773

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

Report **READ** and **ACCEPTED**, in concurrence.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

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**Ought to Pass As Amended**

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Directing the Director of the Bureau of Parks and Lands To Convey the Chesuncook Community Church Building in Chesuncook Township to the Greenville Union Evangelical Church  
H.P. 1240 L.D. 1732

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-660)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-660)**.

Report **READ** and **ACCEPTED**, in concurrence.

**READ ONCE**.

Committee Amendment "A" (H-660) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Regarding Legislative Review of Portions of Chapter 33: Agricultural Development Grant Program, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry (EMERGENCY)  
H.P. 1268 L.D. 1770

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-661)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-661)**.

Report **READ** and **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-661) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Clarify Provisions of the Maine Medical Use of Marijuana Act" (EMERGENCY)

H.P. 1168 L.D. 1597

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-665)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-665)**.

Report **READ** and **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-665) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Improve Hospital-based Behavioral Health Treatment for Persons with Intellectual Disabilities or Autism"

H.P. 1169 L.D. 1598

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-666)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-666)**.

Report **READ** and **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-666) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Ensure That All Maine Children Are Protected from Abuse and Neglect"

H.P. 1208 L.D. 1685

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-667)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-667)**.

Report **READ** and **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-667) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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The Committee on **MARINE RESOURCES** on Bill "An Act To Improve Enforcement of Marine Resources Laws"

H.P. 1233 L.D. 1723

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-672)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-672) AS AMENDED BY HOUSE AMENDMENT "A" (H-680)** thereto.

Report **READ** and **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-672) **READ**.

House Amendment "A" (H-680) to Committee Amendment "A" (H-672) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-672) as Amended by House Amendment "A" (H-680) thereto, **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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All matters thus acted upon were ordered sent down forthwith for concurrence.

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The Committee on **TRANSPORTATION** on Bill "An Act To Promote New Models of Mobility and Access to Transportation"

H.P. 973 L.D. 1365



Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-664)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-664)**.

Report **READ** and **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-664) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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**Divided Report**

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Increase Access to Quality Child Care"

H.P. 1152 L.D. 1581

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-656)**.

Signed:

Senators:

CRAVEN of Androscoggin  
LACHOWICZ of Kennebec

Representatives:

FARNSWORTH of Portland  
CASSIDY of Lubec  
DORNEY of Norridgewock  
GATTINE of Westbrook  
MALABY of Hancock  
McELWEE of Caribou  
PETERSON of Rumford  
STUCKEY of Portland

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

Signed:

Senator:

HAMPER of Oxford

Representatives:

SANDERSON of Chelsea  
SIROCKI of Scarborough

(Representative BEAR of the Houlton Band of Maliseet Indians - of the House - supports the Majority **Ought To Pass as Amended** Report.)

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-656)**.

Reports **READ**.

On motion by Senator **CRAVEN** of Androscoggin, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

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**Divided Report**

Six Members of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Create the Children's Wireless Protection Act"

H.P. 711 L.D. 1013

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-618)**

Signed:

Senator:

JACKSON of Aroostook

Representatives:

BEAVERS of South Berwick  
DUNPHY of Embden  
HARVELL of Farmington  
NEWENDYKE of Litchfield  
RUSSELL of Portland

Six Members of the same Committee on the same subject reported in Report "B" that the same **Ought Not to Pass**.

Signed:

Senators:

CLEVELAND of Androscoggin  
YOUNGBLOOD of Penobscot

Representatives:

HOBBINS of Saco  
GIDEON of Freeport  
RYKERSON of Kittery  
TIPPING-SPITZ of Orono

Comes from the House with Report "A", **OUGHT TO PASS AS AMENDED** **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-618) AS AMENDED BY HOUSE AMENDMENT "A" (H-674)** thereto.

Reports **READ**.

Senator **CLEVELAND** of Androscoggin moved the Senate **ACCEPT** Report "B", **OUGHT NOT TO PASS**, in **NON-CONCURRENCE**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** Report "B", **OUGHT NOT TO PASS**, in **NON-CONCURRENCE**.

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**Divided Report**

Nine members of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Improve Maine's Economy and Energy Security with Solar and Wind Energy"  
H.P. 886 L.D. 1252

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-650)**.

Signed:

Senators:  
CLEVELAND of Androscoggin  
JACKSON of Aroostook

Representatives:  
HOBBS of Saco  
BEAVERS of South Berwick  
GIDEON of Freeport  
NEWENDYKE of Litchfield  
RUSSELL of Portland  
RYKERSON of Kittery  
TIPPING-SPITZ of Orono

Three members of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-651)**.

Signed:

Senator:  
YOUNGBLOOD of Penobscot

Representatives:  
HARVELL of Farmington  
LIBBY of Waterboro

One member of the same Committee on the same subject reported in Report "C" that the same **Ought Not to Pass**.

Signed:

Representative:  
DUNPHY of Embden

Comes from the House with Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-650)** **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-650)**.

Reports **READ**.

Senator **CLEVELAND** of Androscoggin moved the Senate **ACCEPT** Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-650)**, in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-650)**, in concurrence.

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**Senate**

**Ought to Pass As Amended**

Senator TUTTLE for the Committee on **VETERANS AND LEGAL AFFAIRS** on Resolve, Directing the Commissioner of Defense, Veterans and Emergency Management To Request the Federal Government To Recognize Environmental Hazards at the Military Training Center in Gagetown, New Brunswick and the Resulting Health Risks and Disabilities Suffered by Certain Members of the Maine National Guard

S.P. 623 L.D. 1632

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-421)**.

Report **READ** and **ACCEPTED**.

**READ ONCE**.

Committee Amendment "A" (S-421) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Retain Call Centers in Maine"

S.P. 676 L.D. 1710

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

Signed:

Senators:  
CLEVELAND of Androscoggin  
CUSHING of Penobscot

Representatives:  
DUPREY of Hampden  
LOCKMAN of Amherst  
MASON of Topsham  
VOLK of Scarborough  
WINCHENBACH of Waldoboro

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-420)**.

Signed:

Senator:

PATRICK of Oxford

Representatives:

HERBIG of Belfast  
CAMPBELL of Newfield  
GILBERT of Jay  
HAMANN of South Portland  
MASTRACCIO of Sanford

Reports **READ**.

Senator **PATRICK** of Oxford moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-420)** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-420)** Report.

\_\_\_\_\_  
All matters thus acted upon were ordered sent down forthwith for concurrence.

\_\_\_\_\_  
**ENACTORS**

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

**Emergency Measure**

An Act Regarding the Laws Governing Liquor Licensing and Enforcement

H.P. 1186 L.D. 1614  
(C "A" H-652)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

\_\_\_\_\_  
**Emergency Measure**

An Act To Amend the Laws Governing Firefighter Absence from Work for Emergency Response

H.P. 1194 L.D. 1622

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

\_\_\_\_\_  
**Emergency Measure**

An Act To Increase Safety for Victims of Domestic Violence and Victims of Sexual Assault

S.P. 649 L.D. 1656  
(C "A" S-409)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

\_\_\_\_\_  
**Emergency Measure**

An Act To Streamline Enforcement of Child Support Orders Issued by the Penobscot Nation

H.P. 1211 L.D. 1688  
(C "A" H-639)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

\_\_\_\_\_  
**Emergency Measure**

An Act To Redistrict the Knox County Budget Committee Districts

H.P. 1258 L.D. 1753  
(C "A" H-636)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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**Emergency Resolve**

Resolve, Directing a Study of Social Media Privacy in School and in the Workplace

H.P. 838 L.D. 1194  
(C "A" H-640)

Senator **JACKSON** of Aroostook moved the Bill and accompanying papers be placed on the **SPECIAL STUDY TABLE** pending **FINAL PASSAGE**, in concurrence.

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Senate at Ease.

Senate called to order by the President.

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Senator **JACKSON** of Aroostook requested and received leave of the Senate to withdraw his motion to place the Bill and accompanying papers on the **SPECIAL STUDY TABLE** pending **FINAL PASSAGE**, in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **FINAL PASSAGE**, in concurrence.

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**Emergency Resolve**

Resolve, Directing the Department of Economic and Community Development To Report on the Use of Funds Appropriated To Support the Code Enforcement Officer Training and Certification Program

H.P. 1135 L.D. 1565  
(C "A" H-641)

On motion by Senator **HILL** of York, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

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**Acts**

An Act To Amend the Composition and Duties of the Maine Children's Growth Council

S.P. 531 L.D. 1449  
(C "A" S-401)

An Act To Strengthen Enforcement Standards for Potatoes  
H.P. 1157 L.D. 1586  
(C "A" H-632)

An Act Concerning Learner's Permits

H.P. 1183 L.D. 1611  
(C "A" H-653)

An Act To Clarify Disclosure Requirements for Political Statements Broadcast by Radio

H.P. 1185 L.D. 1613  
(C "A" H-626)

An Act To Increase the Maximum Gas Safety Administrative Penalty Amounts

H.P. 1192 L.D. 1620  
(C "A" H-637)

An Act To Stop Unlicensed Loan Transactions

H.P. 1214 L.D. 1691  
(C "A" H-615; S "A" S-408)

**PASSED TO BE ENACTED** and having been signed by the President were presented by the Secretary to the Governor for his approval.

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An Act To Increase the Amount of Funds Available to Counties for Witness Fees, Extradition Expenses and Prosecution Costs

H.P. 1173 L.D. 1601  
(C "A" H-648)

On motion by Senator **HILL** of York, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

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An Act To Provide Funding for the Veterans Treatment Courts

H.P. 1221 L.D. 1697  
(C "A" H-649)

On motion by Senator **HILL** of York, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

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**Resolve**

Resolve, To Ensure Notification to the Public of the Location in Maine of Persons Convicted in Foreign Countries of Certain Crimes

H.P. 1160 L.D. 1589  
(H "A" H-619 to C "A" H-600)

**FINALLY PASSED** and having been signed by the President was presented by the Secretary to the Governor for his approval.

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Senate at Ease.

Senate called to order by the President.

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**ORDERS OF THE DAY**

**Unfinished Business**

The following matter in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Implement Managed Care in the MaineCare Program"

S.P. 552 L.D. 1487

Majority - **Ought to Pass as Amended by Committee Amendment "B" (S-419)** (8 members)

Minority - **Ought Not to Pass** (5 members)

Table - March 11, 2014, by Senator  **CRAVEN** of Androscoggin

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, March 11, 2014, Reports **READ**.)

Senator  **CRAVEN** of Androscoggin moved the Senate **ACCEPT** the Majority  **OUGHT TO PASS AS AMENDED** Report.

**THE PRESIDENT:** The Chair recognizes the Senator from Androscoggin, Senator Craven.

Senator  **CRAVEN:** Thank you Mr. President. Men and women of the Senate, I'm not going to spend a lot of time speaking about L.D. 1487 today for two reasons. One, people have heard almost all there is to know about this bill. It's been a long time coming. I doubt that there are many minds to change either. Ideology is a very secure jail. I can't help but keep making the following comparison. This past week the Chief Executive suggested we spend \$50 million to generate 15,000 jobs. With the stroke of the pen today we could create 4,000 jobs and cover 70,000 people with healthcare, including our 3,000 veterans who put their lives on the line for this country. Passing this bill is the economically prudent thing to do. It is ethical. It's the right thing to do and I ask that you do what's right for the people of Maine. Having been born and brought up a Roman Catholic, the message of social justice is deeply imbedded in my psyche and I am proud to be supporting expanding healthcare to 70,000 low income Mainers.

I took a bus tour in Lewiston a couple of weeks ago and I talked to a young person who lost his healthcare. In a moment I'm going to read his story to you. I would like to remind people in this Body that we may feel very superior because we have private insurance, but I would remind people that our private insurance is paid for on the public dime as well. I will read the story from the young man that was on the bus in Lewiston who I met. Here it is. "I'm one of the thousands of people in Maine who lost their MaineCare January 1<sup>st</sup>. I suffer from PTSD and a mood and anxiety disorder, for which I take medications to manage my symptoms every day. My medication will run out soon and I don't know what I'm going to do. Now that I've lost my MaineCare I can't get counseling and soon I won't be able to get my medications either. I'm already out of my anxiety medication and I'm almost out of my depression med. The last time that I went off this medication I was hospitalized. I also suffer from chronic pain. I have sciatica and carpal tunnel syndrome, which was work related and from when I worked at the Morin Brick yard. The last time I saw a doctor he found cysts on my kidneys, which suggests I might have polycystic kidney disease, PKD. I don't know how I'll be able to follow up on those serious health issues. I have no way to pay for my medications or to see a counselor or to help me manage my anxiety and my PTSD. Since the Legislature refused to expand MaineCare I live in fear every day. There are real

human costs to this issue and I am one of them." I can't imagine, when this man has an emergency because he has cysts on his kidneys, how much it is going to cost for him to have surgery, for him to be rehabilitated, or for any follow up. I would love and ask for you to do the right thing for the people of Maine today. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator  **KATZ:** Thank you Mr. President. Men and women of the Senate, today we have a historic opportunity to do three things. First, expand MaineCare coverage to over 70,000 Mainers and say yes to a \$1 billion stimulus to our economy. Second, fundamentally reform a state government program that has been a mess for decades. Third, show everyone that, unlike Washington, we can get beyond the rhetoric in divided government and work together to find middle ground. Mr. President, to mention the word expansion around here is the political equivalent of throwing off your gloves at a hockey game. It's an invitation to brawl. It's us versus them. Pass the ammunition. Man the barricades. It doesn't have to be that way. A number of states, including eight or nine with divided governments, have worked to get to yes and realize the huge economic benefits for their state.

Let's begin by looking at the MaineCare program, itself. I think most of us would agree it's a mess and has been that way for decades. It's an equal opportunity problem that has bedeviled Republican Governors, Democratic Governors, and Independent Governors alike. If this were a car company it would have gone the way of the Edsel long ago. When you get home try Googling MaineCare cost overruns and get prepared for a long evening of reading. We have seen budget after budget, year after year, and sometimes twice a year, out of sync and out of alignment. It is a multi-billion dollar program dominated by unchecked utilization with over use of the emergency room and under use of primary and preventative care. You know the old saying that there are only two things certain in life; death and taxes. We can now add a third, MaineCare budget overruns, to that list. MaineCare now eats up a quarter of our General Fund budget and is crowding out our ability to do other things. What's your priority? Early childhood education? K-12 students? Expanding and improving our infrastructure? Pick your favorite; it's being starved due to the increase in the amount we spend on MaineCare. We should do better and starting today we can do better.

The concept is simple. Let's take the management of this multi-billion dollar program and contract it out. It's called managed care and it works. At the end of a vigorous RFP process the Department would select three or four companies to oversee the care management of our entire MaineCare population statewide. This is a lengthy process to get to the point where people are in managed care. It is a thoughtful, several year process. The idea is simple. The State will pay a set dollar figure per person per month to manage the population and the enrollees can choose among the three or four plans. Since we would know the MaineCare bill up front each year, we would enjoy cost certainty in budgeting for the first time ever. It's better. We would also build in cost reductions over time, freeing up funds for other government priorities or tax reductions.

How do managed care companies do it? How do they hold the line or even lower costs? When you think of managed care systems think witches in the Wizard of Oz. There are good ones

and bad ones. The bad ones allow the managed care organizations to hold down costs by denying patient's access to care and lowering provider rates. Those actions certainly help bring budget certainty, but none of us wants that kind of a system. There is a good way, though, where doing care management can lead to lower costs and better health outcomes. It's by actually helping people stay healthy and avoiding the expensive consequences of preventable illnesses. Let me give you two examples. The pregnant woman who the case manager is in regular touch with, getting to appointments, getting good nutritional information, and understanding the risks of alcohol and drug use. That results in a healthy, full term, pregnancy that might cost \$8,000; not the early, low weight birth with all the complications that turns into \$100,000 expense and all the problems that follow. The congestive heart failure patient who's being followed by the company to make sure that he's taking his meds, keeping his weight down, and getting to his doctor's appointments. Sure, it costs a few bucks to manage that care, but you avoid the \$150,000 open heart surgery.

Forty-five other states have figured this out and have at least some of their Medicaid populations under managed care. In fact, nationally almost 60% of Medicaid patients are in such a program. Where it is done well it achieves budget stability and better health outcomes. Those other 45 states have been laboratories from which we can learn to adopt the best practices and reject the worst. In fact, there are great examples of managed care right in our own backyard. Martin's Point currently manages the care of 70,000 people, including veterans and Medicare Advantage members from both Maine and other states. They do a great job of it. Other companies around the country, from Etna to Centene to Amerigroup, are interested in this project as well.

We have a remarkable opportunity to change the pyridine and we should take advantage of it because, let's face it, our MaineCare program is the Titanic headed right for the iceberg whether we expand Medicaid or not. It may take 10 years. It might take 15. Make no mistake about it, if we don't bring budget certainty to our MaineCare program, a multi-billion dollar program, we will hit that iceberg.

The bill goes further, Mr. President, it builds in an eventual 5% cost reduction in the MaineCare program, savings for taxpayers once this is implemented. It directs the managed care organizations to integrate seamlessly with the good work the Department has already begun with its accountable care organizations and patients set in medical homes. Standing alone those department initiatives are simply just not enough to get the job done, but these are good pilot initiatives the Department is pursuing. All the prospective managed care organizations I've spoken with agree that their programs can successfully be placed right down on top of the good work the Department has already begun and everyone will be a winner.

What else does the bill do? For those of us who have been rightfully outraged by the service wait list for our developmentally delayed disabled adult populations, this bill finally does something about it. Here's how. Currently our spending on this population is over \$70,000 per year, where the national average is only slightly more than half of that. This bill directs the Department to promptly implement suggestions from the Medicaid Redesign Taskforce and other reforms they have already begun to help bring Maine's per person cost down to at least close to the national average without impacting the quality of care that these people are getting. This bill specifically dedicates and directs that those savings, and there will be savings, are going to be directed

to pay down and pay off the wait list. We can do this and we can begin it now.

The bill also directs the hiring of additional fraud investigators within the Attorney General's Office to catch and prosecute the cheats, whether they are consumers or providers. For those of us who think we should do what other states like Iowa and New Hampshire are doing and use the expansion money to put more people onto the Affordable Care Act Exchanges, we direct the Department to study the feasibility of doing just that and report to us early next year to see if that makes sense. For those of us who have been pressing for more work to figure out how to get people off these public programs, this bill does exactly that. It authorizes a Legislative committee to study the disincentives our current system presents and the roadblocks people face in trying to get off these programs. Let's define the roadblocks. Let's find the disincentives. Let's work to redesign the program to give people a clear pathway to independence.

That's the first part of the bill. Let me now turn to the second, Medicaid expansion. We have all heard the arguments for and against. I appreciate those who are just philosophically opposed to an expansion of this program, who fear our inability to get rid of it, and who just fundamentally don't trust the federal government to keep its word. Like them, I worry whether our actions might contribute in some way to what some call the culture of dependency. I respect those strongly held convictions by many in my party and the honesty with which they are held. To me, the scales still tip in favor of participation in the expansion for several reasons. First, 70,000 people will finally have access to regular healthcare. Will there be some freeloaders who use this as an excuse to turn down additional employment? Perhaps, but the vast majority of these folks are our neighbors. You know who they are. Let me tell you of two that I know. One is a young woman working two waitressing jobs just to get by, who still doesn't come over 100% of poverty. The second is a veteran, just back from serving his country, enrolled at UMA and working a part-time job; again, not above the threshold. They want to do better. They are trying to do better and we can help them do better. Second, with expansion we will help to lower private insurance costs. We will help lower private insurance costs and that's very simple to understand. If people are getting free care at a hospital 100% of that cost gets shifted over to private insurance. If they are on Medicaid or MaineCare, and the hospital is being reimbursed at 75%, only 25% of that cost is shifted to private insurance. It makes sense for all of us. Next, Mr. President, the hospitals need this. Part of the original healthcare deal in Washington was that the federal government would significantly reduce Medicare reimbursements. The trade-off was the expansion of Medicaid and reduction of charity care. While the hospitals have taken the bad medicine of the Medicaid reductions, making them take a double dose by not expanding may literally lead to hospital closures before long, particularly in the rural areas.

Finally, Mr. President, I just don't think we can turn our backs on the remarkable opportunity we have today to improve Maine's economy. Without expanding, we are losing out on \$1 billion flowing into our state over the next two and a half years. This is our tax money that we've sent down there and it should be coming back to us. That's about \$1 million a day we are turning our backs on; yesterday, today, tomorrow, every day, every week, including Sunday. This is not money that will be used to pay for people to sit on their couch and eat Twinkies. This money would go to Maine's middle class, at least several thousand new jobs in

our communities. X-ray technicians, physical therapists, nurses, and janitors. If the Department of Defense announced a billion dollar destroyer contract tomorrow for BIW we'd be popping the corks on champagne bottles, and rightfully so, even if we know that some of those jobs might go away three years later, when the destroyer was built. This, ladies and gentlemen, is the equivalent of a \$1 billion destroyer contract. It's really even better because the benefits of these jobs will go around the state of Maine and not just to one particular geographic area. Other states have recognized this, including states with divided government like New Hampshire. In fact, every single New England state has understood this.

A couple of other things about this bill to keep in mind. First, it has a three year hard sunset. At the end of the federal 100% reimbursement period in about two and a half years this program is over and we would continue only if a new Legislature were to reauthorize it. That new Legislature would have the benefit of a non-partisan study built into the bill to inform it about what have been the costs, what have been the savings, and what changes have we seen, if any, in health outcomes. If the federal government tries to change the rules in the middle of the game, we are automatically out. A central question during this whole debate has been; how much is expansion going to actually cost the General Fund and the taxpayers of the state of Maine? Well, we finally know the answer. The non-partisan Office of Fiscal and Program Review, which ought to have the total respect of each member of this Body, has delivered its fiscal note and the message is clear. Sure, there are some additional administrative costs for the Department, but those are more than balanced out by the savings we will enjoy from expanding MaineCare, primarily due to the fact that there are some services we've been providing people with 100% State dollars that will now be funded with 100% federal dollars. That's the bottom line. For the next two and a half years there will actually be a net savings to the State from expansion and we will inject almost \$1 billion into our economy. Again, net savings to the State and the injection of \$1 billion into the economy.

There are those who raise the issue and say, "Look, once you put this many people into a program a new Legislature will never have the political will to remove them, even if the facts suggest that it ought to happen." I disagree and I don't think we need to look too far back in history to prove the point. Back in the 125<sup>th</sup> Legislature we dropped 30,000 people from the MaineCare rolls by raising the bar for eligibility. It was the right thing to do then and hopefully a new Legislature will have the will to do the right thing in the future, should the facts warrant it.

Lastly, Mr. President, today's vote is our opportunity to show people that we can work together, to demonstrate that we can deal with the most difficult issue of the session, and find middle ground. When I first ran for the Senate, Mr. President, I knocked on over 6,000 doors, and I know that many of you did as well. I suspect your experience was similar to mine. I found that maybe 10% of the people who welcomed me into their homes were rabid, left-leaning ideologues. I estimate it was about the same number on the far right. To those on either far end of the spectrum, ideological purity is a litmus test. Every vote we test the loyalty. Most of the people I met wanted something different. They expected us to come here to Augusta and work together, across the aisle, to solve Maine's problems. Let's show them that we can do that. Let's show them that we can find middle ground. Let's take advantage of the historic opportunity this bill presents us to fundamentally reform a broken MaineCare system, to help

improve the lives of 70,000 Maine people, and inject \$1 billion into the Maine economy. We may not soon have this chance again. Washington D.C. is incapable of working together, Mr. President. Are we? Thank you.

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

Senator **WOODBURY:** Thank you Mr. President. Senator Katz is an articulate speaker and I agree with a large majority of the points that he made, and he made them exceptionally well. There are five lenses from which I look at this bill and this issue, all of which lead me to the same conclusion on which way to vote. The first lens is one of what I'll call human compassion and fairness. I have health insurance. I'm actually eligible for health insurance from my wife's employment. I'm eligible for health insurance from my own employment outside the Legislature. I'm eligible for health insurance as a legislator. I'm eligible to buy insurance on the subsidized federal exchange. Even if I didn't have any of those options, I feel I have an income where I would go out and buy insurance privately because I think it's important to have and I can afford to do that. Those who would benefit from this bill don't have even one employer offering them coverage and, for whatever reason, don't have enough income to reasonably afford to buy health insurance privately. Now when I or they are in good health that difference may not be that big a deal. It matters to some degree with preventive care, but it's not that big a deal. If something happens to our health, cancer, diabetes, kidney disease, hip fracture, the difference matters a lot. I'm no better than those without this coverage, nor more deserving of treatment than those who would be covered by this bill. There is a fairness argument that is very important to me in evaluating this.

The second lens is one of the cost shift associated with unreimbursed care. It's an argument we've talked about quite a lot on this floor. When providers, hospitals, and physicians need to provide care that is unreimbursed they need to make up for that cost through the prices that they charge to those who are insured or those who can pay for care. I spent a lot of time this session with the Price Transparency Commission and actually had a bill to increase price transparency. Part of that has been to just make people more aware of how much healthcare costs. I must say, a side reason was to create a little bit of outrage as to how much the medical profession charges for things that they don't seem like they should need to charge so much for. A big reason that they need to charge so much, one of the big reasons, is the fact that they need to make up for the care that they are providing in an unreimbursed way. This bill helps to deal with that problem.

The third lens is the economic issue, and Senator Katz expressed that quite well. I sat this session on the Workforce Committee. We've had a huge number of examples of businesses that have come and talked about their story; their story of, you know, for example getting a \$50,000 MTI grant to help them to develop a new business, a new product, or a new business model that led to their success as a company. We heard about companies that may have gotten a \$200,000 FAME loan guarantee. This is all good stuff that has been great for Maine's economy, but I have to believe that this pales in comparison to the \$340 million that could come into Maine as a result of passing this bill. Again, as Senator Katz said so well, what's amazing about this particular economic development incentive is it's not targeted to one place. It is being spread

diversely around the state and, in particular, in higher concentrations to places where there are people with lower incomes and higher unemployment. It's exactly the kind of miracle economic development initiative you try to create if you are thinking about what to do to help the economy. So there is an economic lens that I think brings one to think this is a good idea.

The fourth lens is the one I think I talked about actually both last session and maybe last year in this session; the notion of how to make our health policy system more rational. Whatever you think of the Affordable Care Act and its complexities, and it certainly has its share of complexities, one of its key visions was to make sure that there is an affordable health insurance product for people in any economic circumstance. Some people are, you know, over 65 and are eligible for Medicare. If you are working for an employer that is providing you with health insurance you get your health insurance through your employer. For everybody else the question is, how do we deliver an affordable health insurance product for people with different economic means? What the Affordable Care Act envisioned was that those with incomes below 138% of the poverty line would be in a Medicaid program. Those with incomes between 138% of poverty and 400% of poverty would be eligible for subsidized insurance through the private marketplace, the health insurance exchanges. Those with incomes above 400% of the poverty line would have a level of income that was sufficient to be able to fully pay for insurance in the private market. That vision is what made it possible for people in every economic circumstance to be able to have health insurance. If we fail to provide that bottom piece, that health insurance for those below 138% of poverty, we've really failed with this entire vision of creating an affordable product for people in any economic circumstance.

The fifth issue is one that Senators Katz and Saviello should be credited with bring forward to us. We all know, through our reading of the newspapers before we were legislators and looking at the issues and the challenges that we've faced as legislators, that the Medicaid program is a very difficult program to manage well and is often not managed very well. Listening to Senator Katz speak about some of the aspects in this bill that are going to help us to move to a Medicaid system that is better managed, to me, is extremely inspiring in fixing something that has been difficult to accomplish in the past. Integrating that into this Medicaid expansion, to me, absolutely enhances and makes this all the more important to do than it already was for the reasons that I just discussed.

Mr. President, we do need incentives for people to find jobs and to gain the skills and inspiration to pull themselves out of poverty, but rejecting this offer of healthcare coverage to people who need it is not the right way to do it. Thank you very much.

**THE PRESIDENT:** The Chair recognizes the Senator from Franklin, Senator Saviello.

Senator **SAVIELLO:** Thank you Mr. President. Ladies and gentlemen of the Senate, I want to quickly rise today to just point out a couple of things, why I supported this bill from day one and why I support the bill today. I handed out to you on your desks the boost to local economies. To Franklin County this means 120 jobs, about 1,880 people will be eligible for better health outcomes, \$9.2 million will be put into the local economy, and my hospital's liability of charity care will be reduced by \$2 million. I want to make that clear as we start this debate. That's why I support the bill. Thank you very much, Mr. President.

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

Senator **GRATWICK:** Thank you very much Mr. President. Ladies and gentlemen of the Senate, I rise in support of L.D. 1487. As most of you know, I'm a physician. I've been spending the last 45 years of my life keeping people healthy and this bill does that. To give you just a very brief perspective, at my college reunions I'm deeply moved by the memorial service that we have for people who have died since we last gathered. The memorial chapel at my college is a place of solemn grandeur. A very quiet place. A sobering place. When we enter we each take a card with us with the deceased classmate's name on it and, when the time comes, we read that name aloud. It is a sobering moment, a very still moment, for all that remains of that person is their name spoken clearly in the quiet air. At our first reunion there were only a few names for us to read. Now that I'm older there are almost as many names to read as there are of us who read. Soon those of us who are still alive will be reading many names off of many cards.

A Harvard and CCNY study estimates that MaineCare expansion could well save 157 lives. That is 157 people will die here in Maine if we do not expand MaineCare. If we do not expand MaineCare will we have the courage to face what we have done and go around this room, just as we do at my college, and each of us read not just the name of one person from a card who has died but perhaps up to four. That is, will each of us take a card, people unknown now but people who will be known next year, and read their names? Will we solemnly, soberly, and with full knowledge that the name on each card is that of a real person just like us now dead?

Let me tell you very briefly about one of my patients. When we gather here next year I do not want her name to be on one of the cards that I read, to be read aloud. She's a lovely, hardworking, quietly beautiful woman from the County. You would be proud to have her as a sister, as a wife, as a mother. She has Lupus. She has bad Lupus. Because she does not have insurance, she has been hospitalized several times recently with complications, most recently for kidney disease. Her last bill at the hospital was \$50,000. I can, and indeed, do see her for free as an outpatient, but she cannot afford medications, she does not get good care. Without MaineCare this woman will die. She will be named on a card that I do not want to read.

Today we hold people's lives in our hands, people whom fate has singled out for injury and illness. There are not many decisions we make in this room that concern life and death so directly. I've never before had to make a decision of this magnitude in my 40 years of practicing medicine. I fear for us today if we make the wrong decision. I do not fear for my patient, for she will die and she will find peace. I rather fear for us, the living, for we will not find peace. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Oxford, Senator Hamper.

Senator **HAMPER:** Thank you Mr. President. Ladies and gentlemen of the Senate, two part bill; the first part being managed care and the second part being expansion of Medicaid, otherwise known as MaineCare. I'd lead off with a few excerpts from testimony taken on L.D. 1487. These were from May of last year. Maine Equal Justice Partners says, "Research regarding



the fiscal implications of managed care indicates that such initiatives are either cost neutral or could actually end up costing more than traditional fee-for-service programs." Sarah Gagne Holmes continued on, "In light of the fact that there aren't significant savings or improved health outcomes from members in managed care, there is no valid reason to disrupt the current initiatives being pursued by the department." I finish from Sarah, "We believe that going down the managed care road at this time may jeopardize continued receipt of the \$33 million SIM grant from the federal government." I'll continue on with Maine Hospital Association's testimony. "Local efforts such as those by hospitals and health systems have demonstrated success with local managed care. We should not duplicate efforts and waste precious resources on care management and care coordination if those services are available locally. In fact to the extent the State has funding for those services, it should be offered to local providers now." I'll finish off this portion with testimony from AARP, John Hennessy. "AARP believes DHHS is already well positioned to implement payment reform across public and private payers, as evidenced by the innovation models initiative. We believe Maine is moving in the right direction and respectfully ask you to vote Ought Not to Pass on L.D. 1487 and allow the system to work as it was intended."

As far as department efforts go, the Department of Health and Human Services is currently engaging their own version of managed care to point where overall increase in department spending has been trimmed to eight tenths of 1% for the current year and the anticipated increase of 1% for the coming 2014-2015 budget cycle. That's .8% and a 1% increase. This is accomplished by moving the system from one that pays for the volume of services into a system that has initiatives for providers for quality of care. Experience has shown that managed care corporations focus on reducing rates to providers and Maine's reimbursement rates to providers are already some of the lowest in the nation. I was talking to a chiropractor the other day who accepts MaineCare. A \$50 back adjustment, MaineCare reimburses \$18. It is a 64% reduction in their fees. We have some of the lowest reimbursement rates. If you go to managed care, the only way managed care can deal with it is through the rates. The department is working with hospitals to reduce the inappropriate use of the emergency department, otherwise known as the ED. This is being done through primary care and case managers at the hospitals, as I said before, locally. These initiatives have saved over \$8 million in state and federal dollars and with better patient outcomes. The department has health homes which target people with two or more chronic conditions, with a goal of reducing in-patient readmissions, less use of the ED, and improved self-management of diabetes and other such chronic conditions. Two-thirds, or about 200,000, of the MaineCare population will benefit from this program this year. That's 200,000, two-thirds. Let's do the math. We've got about 319,000 people on MaineCare as it is, 200,000 being dealt with this year. There are accountable communities in which is Maine's accountable care effort. This system engages providers and shared savings arrangements and these organizations will be coordinating the care of all patients who rely on the organization as their point of access to healthcare services. Six accountable communities have applied to participate and these will serve around 50,000 people in the year 2014. This year, 50,000 people. It's fledgling. It's getting started. Then there is plenty of talk about bending the curve when it comes to the MaineCare population and DHHS has brought down their rate of growth once

again to 1% when the national average is 4%. I would say the department's efforts in managed care are paying off. Interjecting a third party into the mix will only add another layer of administration and we, the Maine taxpayers, will be paying for an out-of-state corporation to do the work that is currently being performed by the department.

Now to the issue of Medicaid coverage and expansion. I want to start by a quote from a Greek playwright, 500 B.C., Aeschylus. "So in the Libyan fable it is told that once an eagle, stricken with a dart, said, when he saw the fashion of the shaft, 'With our own feathers, not by others' hands, are we now smitten.'" Let's take a trip back in time. The year is 2001. This Chamber. The date is June 21<sup>st</sup>. The time is just before midnight, the time when all great decisions are made in here. In fact, the Senate adjourned the next morning just before 1 a.m. The question before the Senate is L.D. 1303, An Act to Increase Healthcare in Maine. Strangely, the bulk of the debate is about the funding method. The amendment on the floor is to raise taxes on cigarettes by 6¢ and there is also a change in the business tax accounting methods. Only one Senator rose to call the Body's attention to the fact that the accounting change is a one-time money and the expansion of Medicaid will have unforeseen costs. My Senator, the Senator from Oxford, Senator Bennett, in his floor speech said one sentence, "This bill before us will have immense on-going costs." All you have to do is be around this building since then to know what he said there was true. I believe my predecessor from my town was the watchman on the wall, warning us all of the danger up ahead. Truer words have never been spoken. This bill before us will have immense on-going costs. That was 2001, and just a short three years later, in 2004, the Legislature was appropriating additional money in a supplemental budget to pay off hospital debt. We are going right back into that same trap. We just paid off the hospitals. How much? Seven hundred million dollars or more, by a liquor contract. What are we doing to do? We're going to wind up not paying our bills. We're going to wind up in the same boat we just bailed ourselves out of. During the debate on L.D. 1303 members were told that if we take this free money, it was said then and it is said again here, hospital charity care would be eliminated. I think there was a quote from Speaker Saxl in the other Body. History has proven, and hospital budgets have proven, that that is wrong every time. In words of Dr. Phil, "How's that working for you?" Once again we are hearing the mermaids singing their siren song of free money, luring the mariners in this building to destruction on the rocks of fiscal responsibility.

This federal money is anything but free. In order for the department to administer the influx of nearly 100,000 new enrollees the Department of Health and Human Services will be required to hire at least 90 new employees to take on the caseload, increasing the size of government by 90 new salaries, benefit packages, and work spaces. I bring up the January 14, 2014 letter from the Centers of Medicaid/Medicare Services, CMS. We learned that there is a portion of the newly enrolled that will not be covered at the 100% for the first three years, which, by the way, runs out December 31, 2016. These are parents from 100% to 133% of the federal poverty level. This population will only have a 61.5% reimbursement from Uncle Sam. Free? I don't think so. The Maine taxpayer will pay the 38.5¢ for every \$1 spent to cover those individuals. I disagree with the Office of Fiscal Policy. I'll get to that later on. Given the history, as I said before, you don't have to be in this building very long, and watch Maine politics very long, to understand that

Medicaid expenditures are overrun with supplemental budgets that annually request more money to prop up a program that demands more money than budgeted year after year. Would any logical mind honestly believe a low ball number provided to us on the fiscal note? This bill before us will have immense on-going costs.

In the Bible in the book of Proverbs, I quote, "There are three things that are never satisfied," nope there are four that are never say enough. I think in the context of our discussion here today, L.D. 1487 is a fifth item. That could be added to the list of things that are never satisfied, and that is Medicaid spending. When we realize the cost of Medicaid is all consuming? In 1998 Medicaid was a mere 13% of the General Fund Budget. Today Medicaid consumes 25% of the General Fund and you want to grow the program by another third? A few days ago we sat in this Chamber and debated the merits of revenue sharing and finding ways to send money to municipalities. We have bemoaned the fact that we have never met our side of the 55% funding agreement with schools. There is no additional money for the court system. No money to repair the National Guard Armories. Funds swept from dedicated accounts. Inability to adequately fund the Circuit Breaker Program. Green crabs devouring shellfish stocks on the coasts and no money for Marine Resources to study the problem. Did I mention long-term care? Nursing homes in Maine have been underfunded by \$100 million over the past five years. Why? Previous Medicaid expansion is consuming the money from every department, from Agriculture to Transportation, and when will this Body learn. If you vote for Medicaid expansion, in any of its three forms that are coming to us, you are voting to dedicate 38% of the General Fund to being used to fund this behemoth. I will remind you that this is an estimated cost of an additional \$800 million above budget after ten years. The members of this Body in the 128<sup>th</sup> Legislature will be debating raising the sales tax to 7% and income tax to 10% to pay for it. This bill before us will have immense on-going costs. In just a few short years we will be like Aeschylus' eagle, looking down at the fashion of the shaft and saying, "With our own feathers and not by other hands, are we now smitten." Thank you, Mr. President.

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

Senator **VALENTINO:** Thank you Mr. President. Men and women of the Senate, I rise today to support this bill. I don't think in all the years that I've been here I've ever spoken on a Health and Human Services bill. I let the experts do that. I talk about bills that I know about, that I've gone through in my committee. Today I'm rising not for the Health and Human Services Committee but as the Chair of the Workforce Committee. I'm rising as a Chair of the Workforce Committee because we have talked for the past two years about trying to stimulate the economy in the state of Maine. What this bill will do will stimulate the economy of the state of Maine. Yesterday I was at a press conference downstairs. There were Democratic leaders. There were Republican leaders. There was a representative of the Executive Branch and there were business leaders. They issued their new Measures of Growth book for 2014. This was a big success. In the book they have a little emblem which has a red flag. A red flag needs attention. It has a very low national standing and/or established trend towards significant decline. Of course, being Chair of Workforce, the first thing I did was look in

the section for Business Climate. The first item, of course, is cost of doing business. The second item under Business Climate is the cost of healthcare. It has a red flag beside it. The number two item that is holding us back in the state of Maine in our business climate is the cost of healthcare. I will say it is the only one listed under business climate that has a red flag on it. Then I turned to the Health and Wellness section. Again, another red flag for wellness and prevention. Another marginal marking for health insurance coverage. When you really find out is when you go into the meat and potatoes of the report. It says under the Business category why the cost of healthcare matters. This is their words, not mine. "Why it matters. Maine businesses identify the high cost of health insurance as the top obstacle to investment in the Maine Development Foundation survey. The high cost of healthcare is a significant factor for individuals and employers who are based in Maine and it is an important cost factor for businesses that may be coming here. High health costs limit access affecting the health and the productivity of Mainers. High healthcare costs affect the ability of Maine businesses to compete and to make a profit." I quote also from the Maine Bangor Regional Chamber of Commerce. "Healthcare remains a chief concern among employers as a significant cost of doing business and a driver of public center's costs. To that end, the Chamber supports the expansion of MaineCare Medicare in Maine to fully leverage available federal dollars under the Affordable Care Act." Mobilize Maine also says specifically, "While expansion offers many social benefits by providing healthcare coverage to thousands of people in our region, we are also mindful of the economics of this proposal. The injection of more than \$350 million in federal funds annually into the Maine economy will undoubtedly contribute to economic growth throughout the state." I am also here to fight for the people in York County, for the 510 jobs it will create in my county, for the 8,200 people that will now be eligible, and for the \$40 million a year that it will bring to my county, York County. Add this up and take a look at the chart for your county and I can't see how anybody can vote against the jobs that are coming into their county. Thank you very much.

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

Senator **CAIN:** Thank you Mr. President. Men and women of the Senate, I'm standing here on the floor today to add my voice as a voice for the 70,000 Mainers who need affordable access to healthcare and who deserve to be heard. They are some of our state's most hardworking and most vulnerable and those most in need. They are students, hardworking moms and dads, families who have found themselves down on their luck, small business owners, and veterans who have served our state and country bravely. They aren't asking for much, just the ability to see a doctor when they get sick. The rich and the powerful already have a voice here. Those with health insurance are already being heard. I rise today to give voice to the thousands of Maine residents in need of basic healthcare, who are only asking for a little more stability in their lives. I'm standing here to tell the story of folks like Dwight and Clarice from my Senate District. They live in Lincoln. On Sunday I got an e-mail about their family's struggle. Dwight, a long-time U.S.W. member and worker at the Lincoln Mill, was recently laid off. Even though he and his wife have worked hard all their lives, they are now without options for health insurance. With only unemployment insurance, they make

too little to qualify for subsidized on the exchange. The patient protection and Affordable Care Act, the ACA, was designed to cover them by offering federal funds to states to extend Medicaid, the question before us today.

The person I really want you to hear about and to get to know a little more about is Tiffany. She is someone I am carrying with me in my heart and she is at the center of this debate today. I share this story with Tiffany's permission. I met Tif several years ago at an event called "Take Back the Night" where survivors of sexual assault and domestic violence share their stories bravely to break their silence and to support one another. Since that first time she told her story Tif comes every year to support other victims. She is there for them. Tiffany has been through a lot. Sexual assault, domestic violence, substance abuse, and poverty, but Tiffany is going to school. She is sober. As a non-traditional student, she is working every day to become a counselor to help men and women in Maine just like her live a better life. Tiffany is an inspiration, but Tiffany, like the 70,000 Mainers hoping for basic healthcare today, is on the edge. At the end of January I ran into her at the Hannaford in Old Town. She gave me a hug, like she always does, but something wasn't right. Tif told me she had run out of heating oil at her mobile home for the third time this winter. She was staying with friends and otherwise sleeping on her step-father's couch and living out of an over-sized duffel bag. She had exhausted her school funds and used her work study money to pay for heating fuel. A week before final exams she ran out of oil and spent two weeks at a friend's house. Christmas night Tif ran out of oil again. That was the last night she had slept in her own bed. Five days later Tiffany had essential surgery on her left arm and two days after that surgery, at the very beginning of January, she was cut from MaineCare because Tiffany, this hardworking student, is a non-categorical. Tiffany said to me, "I was cut off of MaineCare due to what I call being a responsible single adult. In their terms I'm not disabled, not an AIDS patient, and not over 65, and I have no children, so, like many others, I have been left with no medical insurance." Tiffany has had a tough life. She's been diagnosed with bi-polar disorder, PTSD, depression, ADHD, diabetes, anxiety, and she has vision problems due to the diabetes and pain in her back from previous injuries. She takes medication for many of these diagnoses which allow her to function and go to school. You would never know that Tiffany's life is a daily obstacle course because she always wears a smile and she spends every minute cheering on other people. Tiffany cannot afford to pay for her meds with no job and she cannot rely on a family member to get them. As time goes by without coverage to refill them, Tiffany will not be able to attend school. She is likely to become unstable and out of control and her blood sugar will likely get so high that it will attack her internal organs. Tiffany isn't asking for a lot, but her dreams of becoming a counselor are road blocked because of our failure to expand Medicaid in Maine. She can't be in classes so she is training for a new job. She still has no heat in her home and is living with friends, but she's working with her landlord to pay back rent she owes and praying for warmer weather. She has no medical coverage so she is cobbling together partial prescriptions through programs at area pharmacies. Tif is doing every possible thing she can to stay in school and stay on track. "I have a bunch of people trying to help me," she wrote last week, "What seems to be the hang up in most directions is that I don't have MaineCare. Lots of assistance if I did, but gotta get that state and federal medical coverage first. Sigh," she wrote, "Tired of this battle but I am not giving up and I know you are working hard for people like

myself." I got an update from Tiffany just this week. "Things are going okay," she said, "I'm in training for my new job and hoping to move back to my house within the next six weeks. I still have no oil, but it's going to get warmer. Paying back the rent I owe and planning for the future is what I'm trying to do." Tiffany can only make it so far without healthcare, without those medications that she needs, and without our support today. Tiffany is doing everything she can to avoid falling off the edge and it is up to us to say yes to expansion to help Tiffany and the hardworking men and women across Maine just like her.

Mr. President, expanding MaineCare shouldn't be a partisan issue. It's simply the right thing to do. Ensuring that the most vulnerable residents in our state are able to see a doctor when they get sick isn't a Republican issue or a Democratic issue. It should be a Maine priority and an American priority. That's why I applaud the efforts of my colleagues who have put politics aside to do the right thing for Maine's most vulnerable residents, our economy, and our hospitals. Expanding MaineCare will help reduce overall healthcare costs and save millions of taxpayer dollars that are currently being used to treat the uninsured who end up in our state's emergency rooms. This commonsense legislation is a win-win. It will result in a healthier workforce and will boost our state's economy. I'm standing here today to speak for those who need a voice in this process; Dwight and Clarice, Tiffany, and more. I'm standing here to be a voice for those 70,000 Mainers, including 3,000 veterans, who are counting on us. It's time to do the right thing and pass the expansion of MaineCare today. Thank you, Mr. President.

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

Senator **TUTTLE:** Thank you Mr. President. Members of the Senate, I think I'm rising today as a veteran. I believe the good Senator from Penobscot, Senator Youngblood, and Senator Saviello are veterans. I know we're lucky. We're covered through one way or another. I'm at work here and my wife works. I'm one of the fortunate ones, but there are many veterans who I know, many kids coming back from Afghanistan and Iraq, will be affected by this bill. Thousands of veterans now in the state are not covered and I believe the figure I've been told is at least 6,000 veterans will be covered if this bill is passed. I received a letter from a young lady that I've known many years. She asked me to share the letter with the Body. She said, "Dear Senator Tuttle. My husband and I have lost our MaineCare coverage when our youngest child turned 18. We have always had insurance, either through work until my husband's severance package from Spencer Press in Wells expired and then through MaineCare. While we struggle as a low income family in this recession, my husband suffers from chronic depression and anxiety, PTSD, and panic disorder. Now that we have lost our coverage we have mental health bills adding up. We also require prescription medications for high blood pressure, cholesterol. Not only is it very difficult to find the money for my husband's seven monthly prescriptions but you are required to have a medication review by doctors every three months, the psych meds every six to nine months, for his regular meds plus lab work." She said that she is scared of what will happen when they can't refill his medications because the doctors won't renew the prescriptions until he is seen. He has been hospitalized in the past for depression, panic disorders, infections caused by an autoimmune condition. What will happen when he can't control any of his conditions? A stroke

or a heart attack, frequent panic attacks, ER visits or hospitalizations. The extra cost when they can't pay our medical bills just increases healthcare costs for everyone. This is from a lady that I've known for a number of years, Patty Kidder of Springvale.

As Senator Valentino mentioned, what this means to our area is that 8,196 people would gain access to healthcare. An additional \$43 million will be spent annually on healthcare services by 2016, stimulating about \$59 million in additional economic activity. An expansion would create approximately 513 new jobs in our area. It is for that reason that I am supporting this bill and I would respectfully request that you do that same. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Washington, Senator Burns.

Senator **BURNS:** Thank you Mr. President. Men and women of the Senate, it seems to me that this issue has plagued the state since 2001, well beyond my time, and has become an obsession to expand Medicaid. Because of our obligation to fund Medicaid from the last expansion, 25% of our general budget now goes into the MaineCare related services. Imagine that for every \$1 that you earn every week you had to walk over to your neighbor's house and give them 25% of that income. That's exactly what we are doing in this state. Most all of our state agencies, ranging from conservation to public safety, have had to cut their budgets and neglect important services in order to pay their neighbors. One example that is especially important to me is long-term care facilities, our nursing homes, which have suffered greatly. We have been underfunding them for \$30 million annually for some time. We haven't been able to increase MaineCare reimbursements for those qualifying and private pay residents just cannot make up that difference. As you know, this caused the closing of our only nursing facility in Calais, First Atlantic Rehabilitation. They had to relocate their beds to Hancock County, where there was a better private pay ratio. This was a devastating event for the residents and their families. Put yourself in their situation. If your mom or dad had to be relocated one or two hours away from their home how would you feel? Our only nursing home facility in Lubec is getting ready to close its doors, looking for a market for their bed rights. Again, this is because of the lower reimbursement rates and the high percentage of MaineCare residents. A third facility in the Machias area is very worried about some of the same issues that have caused the Calais nursing home to close. My point, our long-term care facilities all over the state are in jeopardy because of the wrong priorities we have established here in this state.

Then there is the issue of the 3,000 to 4,000 of our most needy citizens who are on a waiting list for MaineCare waivers. These folks, with developmental disabilities, through no fault of their own, cannot get the services they dramatically and drastically need under Section 21 and 29 waivers. Whether it's the supports to allow them to stay in their own home or to provide them with community services and support systems that they need, they are all in dire need of these basic necessities for them to live a life with some quality and dignity. These folks cannot fend for themselves, unlike most who are presently on, or will be included in this expansion. I know about these situations first hand. I have a 30 year old son that cannot live or function on his own because of disabilities that he was born with. He is one of the fortunate ones to now have many of the services that he

needs to improve his quality of life. I know what he has gone through and I know what we have gone through while waiting for those supports because of our priorities in this state. I can't impress upon you enough how important it is to support this group of people before we move on to another 100,000. Please don't keep them locked out and put thousands of able bodied people in front of them. It's just not fair.

Many in this Chamber understand the nuances and minutia and fine details of this expansion much better than I do, but this is all about priorities to me. We must get these priorities straight or this train that we're on is going to go off the track. First and foremost, we must take care of the most needy in this state and our senior citizens. They deserve to be in front of the line and expanding MaineCare at this time will prevent that from happening. There are many reasons you are hearing today to make this expansion unnecessary and, in my opinion, foolhardy. Two of the reasons are before you right now; one is the Affordable Care Act, which is the law of the land, and makes expansion unnecessary, in my opinion, and the other is that most potential recipients are able to take care of themselves. I used the term obsession before because I think that it has become an obsession by many in this Legislature to expand this MaineCare process. I believe that if we had worked as hard in this state and this Legislature to create jobs and improve our economic status we would not be having this conversation. Just this morning we were able to make a press release to the state of Maine about \$100 million private business expansion in Washington County, a private business enterprise. To me, that's the way to improve everybody's plight and situation in this state. It is not through expanding MaineCare. Please vote against this measure. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Kennebec, Senator Lachowicz.

Senator **LACHOWICZ:** Thank you Mr. President. Men and women of the Senate, I'm sure it's no secret how I stand on this bill. I've made no bones about believing that there are many people in my district and across the state that need healthcare since the moment I got here. I think this bill is a good one for our state. It's simple really. We're here to do the best job for the people. It's not even really about politics, although a lot of that happens here, especially with this issue, with healthcare, is. It really is about people, people we all represent. I thought I'd talk to you about them. Last year I said I had a lot of stories of the people I met who needed access to healthcare, they need to be able to see a doctor. I still do. I keep those stacks of paper with my handwritten notes on them because it's important. It's important enough to them that they tell me their stories. They call or send me e-mails or send me their own handwritten letters. Last week I had David's story handed out to all of us here in the Senate. David is 56 years old. He has a serious heart condition. He used to work at MaineGeneral in Waterville and then at Wal-Mart. He's been unemployed since 2007. Not many employers want to hire a guy with a heart condition. He was one of the people whose MaineCare was cut off as of December 31, 2013. As a result, he couldn't afford the Coumadin that thinned his blood. Last month he suffered a major heart attack due to a blood clot and was taken to Maine Medical Center in Portland. He had surgery, two stints put in, and found out that he has Type 2 Diabetes, yet another chronic health condition. He needs cardiac rehab services now, in addition to seeing a doctor

regularly. The reality is that he will die without regular follow-up care. That's what happens with chronic health disease and Type 2 Diabetes. A few years ago a similar thing happened to my father. He was lucky enough to have Medicare, but I have to tell you the cost of that emergency room visit, transport to Portland, and subsequent hospital stay and surgery ran into the hundreds of thousands of dollars, as I'm sure David's did. Yes, people can get care at a hospital emergency room, but in David's case the ability to access critical medication and a family doctor might have prevented his heart attack last month. We cannot get that in an emergency room. Access to a family doctor is critical in treating chronic health conditions. We all pay for it in the form of our increased health insurance premiums when the uninsured get the most expensive care. I don't know about you, but I think David's health would be better for it and it would have been a lot cheaper if we had just paid for the Coumadin. Most of you know this. The story was on your desk last week. Here's some things you don't know about David, because I think it's important that you recognize that these are real people, not just stories on a piece of paper. These are real people. He has a daughter. He is a veteran. His wife wants me to knit her a pair of socks actually.

Here's another story. Dawn used to work at the local laundromat. She worked hard. In the summer she worked an incredible amount of hours doing laundry for a number of the camps for children in the Belgrade Lakes area. She liked to work. She didn't mind the sweat. To be honest, she folds clothes a heck of a lot better than I can ever hope to do. She was laid off when the laundromat closed. She hasn't found another job, although she has been looking. She has asthma. Before she could save her money so she could buy her inhalers. Then she had MaineCare, but that was cut off. Now she can't afford to buy it so she goes without. She has trouble breathing at times, which, of course, impedes her ability to look for jobs and maintain a job, let's hope that she gets one. She's worked her whole life at very physically demanding jobs. You know what would help her get back on her feet and feel better and possibly be better able to get another job? Access to healthcare so she could get her asthma treated and get medication.

Here's another one. Lacey works in fast food, about 20 hours a week. I've known her for years. Maybe she made your breakfast sandwich this morning. She's worked there a number of years, yet the business doesn't like to give workers more than 29 hours a week because they might have to offer health insurance. She doesn't make a lot of money, certainly not enough to buy her own health insurance. She'd like to work more, but there aren't many jobs out there. When I hear people say if people just worked more they could afford it, they are trying. In fact, they try all the time. She has tried. She hasn't had a yearly physical in years. She hasn't had those yearly tests and exams that save women's lives like pap smears. She also had carpal tunnel syndrome. It hurts to grip things. She'd like to see a doctor to see what can be done but she can't afford it even though she works. What happens if the pain and gripping things get worst without treatment? Would she be able to keep her job? Lacey has most of her life ahead of her. She's only 23. She loves animals. She has a great family.

Last year I also told you about Doug. He makes a little too much on disability to qualify for MaineCare because he had a pretty good job before he became disabled. He pays 75% of his disability check for health insurance because he wants to do the right thing. He knows he needs the healthcare. With this cold winter his home is even colder than it was last winter and the

winter before. He doesn't have a lot of food. The food banks actually are pretty thin on food these days. I believe he deserves better than that. He worked his whole life.

I have plenty more people and their stories. These are real people with hopes and dreams, loves and passions, families and friends. They are more than stories. They are friends and neighbors, maybe even family members. I started out talking about David because the most important thing about this bill is that it will save lives. Some of those lives will be people we know, you know. They will be parents with kids in our schools, which is what inspired me to run for office in the first place. They may be someone you see every day, perhaps the woman who bagged your groceries the last time you was in the supermarkets. It's been estimated that passing this bill will save 157 lives every year; 157 lives. What are those lives worth? My guess is that David's daughter and his wife think it's very valuable. I know I do.

As you all know, I've worked in the mental health field for a number of years. In that time I have to tell you that it is always better to treat a mental health problem early. I could get into the brain chemistry of why but that would take quite a bit of time and I usually prefer colored pens, charts, and things like that. Here's the short answer. If you treat things like depression, bi-polar disorder, anxiety disorder, or all those things early the chances for full remission and better outcomes are much greater. If people get better they are more productive in all areas of their lives. They keep their jobs. They get along better with their families and friends. They take care of their homes. They eat better. Their physical health is better. This all leads to them fully participating in our communities and working and paying their taxes and not ending up on disability or general assistance. In addition, there are many people that we pay for 100% out of our state's General Fund, people that are covered under what's call the Consent Decree. We pay for 100% of their mental health care. Some of them are very sick with chronic mental health problems. That's expensive. These people would be covered under this. This bill will also lead to jobs, good paying jobs; better paying than the jobs working at Wal-Mart or fast food restaurants. It is estimated that about 4,500 jobs, according to a recent report. In Kennebec County alone that expansion would create about 367 new jobs and an additional \$32 million will be spent annually on healthcare services. A lot of these jobs will be things like lobotomists, x-ray techs, and respiratory therapists. Failing to expand coverage is not only morally irresponsible, but it's also a financial mistake. As of January, Maine is losing out on about \$1 million a day. We need the jobs, economic growth. Certainly not the least, saving lives; 157 lives. Maybe one of them, like I said, might be the person who served your coffee or is your local farmer.

I spend a lot of time listening to people and I want to thank my colleagues, the good Senator from Kennebec and the good Senator from Franklin, for their hard work in the crafting of the bill that addresses many of the concerns expressed last year from both sides. You listened. I listened to you and I listened to the many people in my district who need healthcare. They have jobs and families. One of them is the daughter of a woman I know. She had cancer. She got treatment. She lost her jobs and insurance. Now she can't get the follow-up care she needs that makes cancer a treatable chronic health condition rather than a death sentence. I will not be willfully blind to the plight of her or to that of David, Dawn, or Lacey or thousands of others. I will not be willfully blind to the economic benefits of accepting federal funds and the thousands of jobs it would bring. I will not be swayed by arguments that are based on ideology and not facts. I will not be

willfully blind to what is the essential truth in this bill. It will save lives. It's not often we get to do something, to take a vote on something like that here; something so important, something so essential, something so critical. I will not be willfully blind to it. I will not willfully ignore those who need our help. I will vote to save lives. I encourage you all to do the rest. That's what I came here to do for 157 people and many more. Thank you very much, Mr. President.

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

Senator **DUTREMBLE:** Thank you Mr. President. Ladies and gentlemen of the Senate, I stand before you today in favor of this bill, L.D. 1487. What I can assure you is that it's not because I'm a Democrat, a Republican, or an Independent. It's because as a firefighter/paramedic I see firsthand everyday people in their homes that I go to. They are suffering with some type of medical condition or ailment. After brief evaluation, we decide that they need to go see a doctor or they need to go to the hospital. It's at that point the people tell us, "No, I don't want to go because it's going to cost too much and I don't have health insurance." My first reaction, as a paramedic, is don't worry about the money, we need to worry about your health. However, the reality is if they don't have insurance they will likely refuse to go, against medical advice, and all this does is delay the care that they are eventually going to have to have. What happens is they call us hours or days later and we go back to their home and we pick them up and they end up being transported to the hospital and they end up staying extra days in the hospital, resulting in extra care. On the other side of the coin, I witness firsthand those who abuse the system. They know how the system works. They call the rescue for reasons I can never even imagine. This being said, when we have one or two bad apples in the bushel do we throw the whole bushel away or do we keep the rest to feed those who need it? This is the same with MaineCare. We do not throw a program away because of a few bad people and bad decisions. We work to fix those problems. This bill does both. It helps our neighbors and friends obtain coverage they need. Also, as the good Senator from Augusta stated, it adds fraud investigators to weed out those bad apples and those medical companies over charging the system. In my other life, when I'm working as a medical professional, I don't ask my partners what political party they belong to. We don't ask the patient what political party they belong to. We are there to help them, regardless of what party or, better yet, unknown what their political preferences are. I now ask this Body, regardless of your political party, let's do what's right for the people of Maine. Let's do what's right as a Body and let's give the coverage we need to our friends, our families, and our neighbors. Let's expand healthcare in Maine. Thank you.

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

Senator **BOYLE:** Thank you Mr. President. Men and women of the Senate, I rise in support of L.D. 1487. I was initially a little hesitant. I don't want it to come across that there are too many speakers on this side, but in my case I really feel it's important that I get up and speak as a small business owner. I've been here about 14 months. I'm learning to identify as a Senator, but really most of my being is about being a small business owner. It's what I wanted to do when I was in high school. I finally, 18

years ago, started my own business. This issue is a big deal. Healthcare is a big deal to small business owners. I get the economics of the issue, as a small business owner. A lot of people have spoken eloquently as to the economics in other issues before, so I'm not going to delve into that. I want to describe my experience, as a small business owner. When I started about 18 years ago applicants really didn't ask about healthcare coverage. They asked what it paid, basically, in the interview. What kind of work is it and what does it pay. Now everybody, myself, the employer, and the applicant, always makes sure we talk about healthcare coverage. They want to know and I want to know. All of my employees have healthcare coverage. They have it through their spouses or through me. It's very important to a business, that we deal with healthcare coverage in one aspect or another. From my perspective, there are three keys to success in small business. First and foremost, you work hard. All the time you are doing it you always work hard, and I do. Everybody who makes it in small business for more than a few years, in my view, it is because they work hard.

The second reason is that they provide value to their customers. They give their customers a greater benefit than it costs those customers to hire that business. The third, and this is important in the longer term, is that, as a business owner, you identify and you manage all kinds of risks. Well, one of the biggest risks to a small business is healthcare coverage for their employees. This bill, and the reason I support it, kind of touches on what Senator Woodbury talked about, is managing risk in respect to healthcare coverage and insurance is spreading the risk among as large a population as you can for those who need that insurance protection, that service. A key component of that, at the lower level of the income scale, is this MaineCare expansion. Those that have insurance at the higher levels, like my employees and all of us, were covered in another way, but it has to be spread across all aspects of the population, that risk.

There are two key components with healthcare coverage and risk management. One is, as we all know, if you have a catastrophic medical situation and you have insurance coverage or MaineCare you're covered. That's hugely important, as has been touched on. The other is access to preventive care. That's the second crucial component of all this and it's one of the key reasons I wanted to get up and talk about this. An ounce of prevention is worth a pound of cure. We all know that. It's somewhat trite. Those are the two key components that I look at, as a small business owner, when I support this bill.

I want to finish with a story. On the day of the U.S. Supreme Court decision that kind of put us in this position that would allow states to expand or not expand I happened to have an appointment with my primary care physician. I've been going to him for 20 years or so. He's in his 60's. A fairly conservative doctor. We've talked about all kinds of things. I've been going there a long time. We have a good relationship. I said, "This Supreme Court ruling just happened." At the time I was still campaigning for the Senate. He knew that. I said, "So what's your view on this? I'd love to hear it from the direct perspective of somebody right in the thick of all this." He said, "I support MaineCare expansion. I've been in this business a long time and I see the value of preventive care." He told me a few stories, some not with good outcomes for lack of preventive care. I want to share the one that he told of an individual, a 23 year old young man, who came to him for a physical. He had not had coverage previously, but he had joined the service and so he was required to get a physical as part of that enrollment process. The doctor

saw him. He was a very physically fit 23 year old male from here in Maine, and in my district. In fact, he was so fit that he was very muscular. He worked out a lot. The doctor said if not for that physical, for that requirement, this young man would have thought everything was fine; that he didn't need coverage, that he didn't need care, but he had to get it as a requirement for his enrollment. The doctor found a lump. He sent it in for a biopsy. It required treatment. The 23 year old, seemingly in perfect health. Prevention is crucially important. He got it through a different way, but the point is more about the prevention. He was treated. He recovered. He's doing fine. That's a story that I just wanted to share. I think prevention is a big part of the base of the pyramid of healthcare coverage that this bill would provide. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Androscoggin, Senator Mason.

Senator **MASON:** Thank you Mr. President. Men and women of the Senate, I stand before you opposed to the pending motion and I believe that if it passes it will be a wrecking ball on our economy and a drain on our healthcare system. Mr. President, as you well know, I serve on the Veterans and Legal Affairs Committee. I've had a great time on that committee with the two Senators, the Senator from Oxford and the Senator from York. Last session, probably our biggest achievement in that committee, we worked together to structure the new liquor contract. We used bonds to pay off our hospital debt. It was good work. We did it together and it accomplished a great end. It's important to remember why we ended up where we were and why we had to do what we had to do. That was because of extreme cost overruns and underpayments to Maine hospitals. We had to mortgage off a lucrative State asset to pay for our previous welfare expansion. Yet, here we are, history repeating itself, doubling down on the failed policies of the past. Only this time we don't have another State asset to sell, or at least not a lucrative one.

We've been debating this subject for what seems like years. Democrats have studies that show that if we pass this expansion that we would actually save money on healthcare. Republicans have studies that say that if we do this over the next ten years we'll be paying \$1 billion in new healthcare spending. We could sit here and debate for additional hours and throw out numbers, but I don't think that that is the best use of our time. I'll tell you what I know. Throwing people on welfare will not solve our healthcare problem, nor will it fix our fiscal crisis. Yes, it may get people on government medicine for a while, but what happens when the money runs out? It will eventually run out, make no mistake about that. Free. I keep hearing the word free. One hundred percent funding for three years and then 90% after that. How can we turn that down? Mr. President, ladies and gentlemen of the Senate, that sounds like more empty promises from Washington to me. We've been down this road before. We actually have a lot of experience traveling down this road. Reduced payments, reduced matches, inflexible programs, and forced participation. That's what we have to look forward to. We've seen it before. We'll see it again.

For us to think that adding tens of thousands of people to welfare rolls will not cost us anything is naïve. They tell us to trust the feds. This is the same federal government that has \$17 trillion in debt, didn't pass a budget for years, and can't cover their own costs. We expect them to cover ours? I don't think so. Mr.

President, we are the federal government. We will be paying this bill in one form or another. Let us remember there is no such thing as public money. The government cannot make money. It can only take from the citizens and redistribute. Mr. President, this is a fundamental difference. There is no such thing as a free lunch. I do not believe that creating more lavish welfare programs will lead this state to prosperity and I feel that you would be hard pressed to find a society that that philosophy has worked for. Mr. President, ladies and gentlemen of the Senate, I urge that we defeat this motion and move to the Ought Not to Pass. Thank you for your time.

**THE PRESIDENT:** The Chair recognizes the Senator from Sagadahoc, Senator Vitelli.

Senator **VITELLI:** Thank you Mr. President. Thank you, men and women of the Senate. We've heard many reasons why expanding Medicaid is the right thing to do for our state, our economy, and our people, much of it much more eloquently expressed than I will. I want to address myself to one slice of our economy to illustrate why I think expanding access to healthcare is so important. I want to talk about the courageous, passionate, and dedicated individuals who've taken the risk to start their own small business that I have known, and I have worked with, over 20 years. All of us in this room want to grow our economy and create jobs. These individuals, found in every corner of our state, are doing just that. With limited resources, these micro-entrepreneurs are helping to build our economy. They deserve our support. They deserve access to healthcare. I have in mind of those I've known a widow with young children in Southern Maine who is striving to perfect and market her biscotti; a single father who is promoting his new barbershop in Oakland; and a laid-off worker in Ellsworth who is establishing a non-medical care business for the elderly while going back to school to increase her skills. Starting a business, as my colleague full well knows, is hard work and takes time. Many of these new enterprises did not generate sufficient revenues in the first few years to pay for health insurance. Earnings are plowed back into the business and used to support the owner and her family. These entrepreneurs do without health insurance and often skip the recommended preventive care. These are risks they should not have to take.

A recent report Mind the Gap by the National Women's Law Center found, for example, that cost is a major barrier to care. Over 51% of uninsured women in Maine reported that cost was an obstacle for seeking care compared to only 16% of insured women. Further, the report found that only 50% of uninsured women in Maine received the recommended mammogram compared to 78% of insured women. Running a business and running a fever do not mix. Without access to affordable healthcare the business, the owner, and the family are at greater risk should illness or accident occur.

By helping our micro-enterprises develop a business plan, by connecting them to the resources and to the markets, we've been providing them with a bridge to the economic mainstream. Providing access to healthcare by expanding Medicaid should be part of that bridge; a bridge to stronger businesses, a healthier future for our entrepreneurial men and women, and a more vital Maine economy for all of us. I urge your support for this legislation. Let's bridge the healthcare gap. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Hancock, Senator Langley.

Senator **LANGLEY**: Thank you Mr. President. Women and men of the Senate, I came here to represent the citizens of my district with a pledge that I would keep an open mind, hear all sides, and carefully weigh all points of view when it came to deliberating on the truly tough issues that come before us. I believe it is my duty as a legislator to carefully consider and try to find common ground on issues that have tremendous impact on our citizens and our state. I am proud to serve with my colleagues, Senators Katz and Saviello, who also share this sentiment. I find that it takes great leadership to enter into the arena of compromise and compromise, unfortunately, has come to be a four letter word. I am proud of our leadership that asked, "Is there a better way?" It takes great courage to challenge your beliefs, to see if they stand up and can survive the scrutiny. We should all take this journey once in a while and, by the testimony today, I think many of us have.

Men and women of the Senate, I have been on this journey and I have done my homework. I've met with citizens, doctors, patients, hospital presidents, CFOs, and read countless reports and spreadsheets, and I drilled very deep. I have fingerprints on this bill that is before us. I've put in a good faith effort to build a piece of legislation that supports Republican values. For months now I've been listening to all sides of the debate. I have not committed a vote either way. I promised constituents on both sides that I would lock myself away in a quiet place, soul search, review what I've learned, deliberate, and then make my decision. I've done just that.

First, men and women of the Senate, I have somewhat of a confession to make. I should not be standing here today. By all measures, I've exceeded all expectations of where I would end up in life. My journey started long ago when I grew up in abject poverty. I lived in a single parent household, the oldest of three boys. My mother was a nurse who worked the night shift in a nursing home and, when old enough, the nighttime childcare duties fell to me. We were on Food Stamps and we would often run out of heating oil during the cold Vermont winter nights. I quickly learned that you could take two sleeping bags, open them wide, and zip them together to make one big one that could sleep the three of us. We had little in the way of material items and motley crew would be a kind description of how we looked. Very young I learned to work. I would go in early and stay late. I worked nights and weekends. I found that working in a kitchen also allowed me to have a meal, which helped out at home. I took culinary arts at my school because I wanted to be like my dad and work in a kitchen. I spent two years studying culinary arts during the day and worked in restaurants at night. When I graduated from high school I apprenticed for an Italian chef who only had graduated to eighth grade. Pierro Bonamico taught me how to get through life. He said to me, "Find someone who does what you want to do. Make sure they are the best at what you want to do. Do anything you can to work with them, sweep the floors, wash the toilets, but find a way to get near them and learn from them because nothing in life is free." Folks, these powerful principles are the foundation of my life. These principles I've followed and lived by to get where I am today and they are the core of my being. The dignity of a day's work is what defines me and the fuel that fires my passion to succeed. I spent nearly three decades teaching our youth the virtues of hard work; the lessons that were taught to me on how to work your way out of poverty by perfecting a craft that I passed on to the next generation. I did that as a living example. I connected with my students because I

know what it's like to be poor. I'm proud of each and every one of them who now supports themselves and their families doing something they love. Some people call me lucky. I have a great life, two beautiful children, had a long teaching career, run a successful business, I'm a State Senator, not so lucky, and live in a fantastic community. I feel very blessed and I'm thankful every single day. I learned early on that the harder I worked the luckier I got.

Women and men of the Senate, I struggled to reconcile these beliefs with what is happening today when our state and federal government create disincentives to working. On February 4<sup>th</sup> the Congressional Budget Office released its budget and economic outlook for the next ten years. It was one of the many documents that I read. Of particular interest is Appendix C, Labor Market Effects of the Affordable Care Act, updated estimates. The CBO states in the Appendix C that the ACA includes a range of provisions that will take full effect over the next several years that will influence the supply of and demand for labor through various channels. The CBO report goes on to say the reduction in CBO's projections of hours worked represents a decline in the number of full-time equivalent workers of about two million by 2017, rising to two and a half million in 2024. The estimated reduction stems almost entirely from a net decline in the amount of labor that workers choose to supply rather than in a net drop in business' demand for labor. I struggle to reconcile the action of employers who will be forced to reduce the number of hours that their employees can work to 28 to fit inside a government constructed box from which there is no way out. I don't have to read this report to know that it's true. I've witnessed first-hand when people limit their lives and their potential and their pursuit of happiness to fit into a government constructed box from which there is no way out. I've had employees quit because they were moving up the ladder and the rewards that I gave for hard work and productivity caused a loss of benefits. Those benefits far outweighed my pay raise.

Women and men of the Senate, many of us have spent the last two years serving on Maine's Workforce and Economic Future Committee with a single minded goal of creating more opportunities in Maine for our young people and our businesses. I find it hard to reconcile our hard work with strong disincentives to work. Can this possibly lead to a viable future for Maine? What possible alternatives are there for us when the choices before us are not really choices? In my deliberations I looked to history for some examples of lessons I might use to help me answer this question. Many experts claim that the Community Reinvestment Act of 1999 played a significant role in creating lax lending standards that fueled the housing bubble, which ultimately contributed to the Great Recession. My purpose, folks, for mentioning this is not to fuel a debate about the causes of the Great Recession, but rather to point out that our Maine community banks, our small street corner banks where everyone knows your name, were not responsible for the causes of the financial crisis. This was determined by the authors of Dodd-Frank. Community banks simply did not contribute to the financial crisis. I asked my bankers at my community bank why did they not take advantage of the Community Reinvestment Act? There was tremendous pressure from the government to relax lending practices; pressures stating that making homeownership affordable was critical to our communities. I asked how they could afford to leave millions of dollars for profit on the table, how they could afford to lose hundreds of customers to mortgage companies and the big banks? The response to my question is



telling. Our community bankers live here. They know our communities and they know that strong lending principles, unpopular as they may be, in the long run ensure our economy is sustainable. The pressure to take the money was outweighed by strong proven principles. Those principles continue to serve us well today. If we could go back in time, would we choose a different path?

We currently face a similar scenario where the pressure of reductions and the reimbursements for the elderly to be returned to us in the form of Medicaid payments is incredibly strong. We've heard it here today. I think there is a better way. There has to be a better way. Even in closer recent memory is school consolidation in Maine. Everyone clearly remembers the penalties that were imposed on school districts that did not conform to the Augusta mandate to consolidate. Communities that did not agree to consolidate were penalized by not receiving State subsidies. Communities felt coerced to agree against their wills because they would otherwise leave taxpayer money on the table that would then go to other communities. There was great divide in the communities where the vote was split, with angry citizens on both sides. Those communities that held their ground and chose principle over money were instrumental in promoting changes to the law that now have repealed penalties, created mechanisms for withdrawal, and freed up school systems to reorganize. I believe a similar effort will change the current federal law for the better and we need to be part of that effort.

Men and women of the Senate, up to this point I thought there might be a way to get to yes on Medicaid expansion. This was a long process for me. I worked with colleagues for whom I have nothing but the greatest respect and admiration. I challenged my core beliefs, but the scales were tipped when I read an article in the New York Times and then again in the Wall Street Journal regarding proposed cuts in Medicare Advantage payments for a managed care plan serving more than one-fourth of all of our elderly beneficiaries. What angered me was that when savings were realized because managed care processes were working those savings were categorized as overcharging massively for the care they provided to Medicare beneficiaries. Using this as precedent, I submit that the work that we have done on this bill to develop policies that will improve outcomes and contain costs through managed care will end up with the same fate; continued reduction for payments for providers of services even under MaineCare. I have no confidence that the great work in this legislation will be allowed to stand.

Lastly, and for me the final piece that convinced me to cast my vote in opposition, was a letter I received from the Hancock County Democratic Committee dated January 16, 2014 urging me to support this legislation and tying it to the effort, and I quote, "To follow Vermont's lead and to find a path to universal single payer coverage for all Mainers for their healthcare." The communication clearly articulated that the ACA and MaineCare expansion are just the first steps towards a single payer government run healthcare system, that this expansion is but part of a large agenda to fundamentally change our healthcare system. This agenda, a two-step route to single payer government run healthcare, I believe, needs to be part of every discussion and debate around this issue and it's a worthy debate, but to this date it hasn't been implored.

In conclusion, Mr. President, women and men of the Senate, I applaud my colleagues who sat down to work to solve this very important issue. I respect the value and I cherish their leadership. I worked in good faith, but when I sat and weighed all the

information I had gathered, while I wished that I could have come to a yes vote, I just could not. I've heard your stories. They weigh heavily on me and I pledge to continue to work to find solutions towards our very real issues and problems facing Mainers every day. I do not, however, believe the answers to these problems lie in the bill in front of us. In the end there was just way too much for me to reconcile with my upbringing, from growing up in poverty, to the lessons learned from Mainers who put principles ahead of money, to government policies that create disincentives to working, to continued changes in the healthcare law that hurts our seniors, and the articulated push towards universal healthcare. It's important to learn the lessons from history and try not to make the same mistakes. Folks, it would have been a mistake to expand last session. It's a mistake to expand this session. Let's let the dust settle and wait until there is true compromise at the federal level, not just a few choices in a government constructed box. We will all fair better as a nation and a state if this can happen. I humbly and sincerely apologize for the length of this floor speech. You now know more about me than you ever cared to. I have laid awake many nights thinking about this issue and today's vote. I wanted to make sure that the record reflects the amount and depth of effort I put into this vote. Thank you very much for listening.

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

Senator **JOHNSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, in the 22 municipalities in my district in the Mid-Coast Medicaid expansion under this bill would enable 1,800 people to gain access to healthcare and provide jobs for about another 124 people. I've heard from people throughout the district that are counting on Maine accepting federal funds to do right by them. They are asking us to bring healthcare within their reach by expanding Medicaid. The recession has been hard on Maine people, to both the many working at jobs that don't pay enough to afford healthcare and those who no longer have a job. Now more than ever it is critical for Maine to accept federal funds to expand healthcare to tens of thousands of Mainers, including 3,000 veterans. In January of this year nearly 2,500 Mainers, including nearly 1,500 working parents, lost healthcare because we did not accept federal funds for expansion. I know of their circumstances because I've heard from them. This issue is one of not only quality of life but gambling with the lives of fellow Mainers. Here are a couple of their stories.

Sister Elizabeth, a religious Sister with a vow of poverty; "I, with another Sister who is losing MaineCare, earn a limited income by baking and making fruitcakes at Christmas. Our lives are organized around our daily focus on prayer, on offering very low cost retreats to any who need a time away in peace and solitude, and in offering low cost retreats and workshops to parishes and groups that want one. We were on Dirigo, where we were able to contribute at least a portion of the monthly cost. Then Dirigo directed us to apply for MaineCare, which we received, but there is no way we can afford to pay the full price for health insurance. Under the Affordable Care Act we are not eligible for government subsidies. We are very eligible for MaineCare if it were not for this cruel and unnecessary cut-off." This is another working Maine person who needs our help. Her name is Brady Pierce, who lives in Boothbay, Maine; "I'm a lobsterman but last spring tore my bicep. I had MaineCare then and was able to get the surgery I needed. I was kicked off

MaineCare at the end of December so have not been able to continue with the needed physical therapy follow-up to get my arm healed and back to normal. Not only did I lose part that last lobstering season, with my arm the way it is now I'm not sure if I'll be in good enough shape for this year's season. I'm also a diabetic, so have had to pay for my medications out-of-pocket. I hope MaineCare passes this year so I can continue fixing my arm and get back to lobstering." Another hard working Maine person. "I'm a professional trained handweaver." This is Sarah from Waldoboro. Self-employed in Maine since 1982. "As with many of my colleagues in the creative profession, my income is marginal. In 2013 the Lincoln County Regional Planning Commission conducted a survey of Lincoln County artists to gather wage data. Of 320 respondents 39% of individual artists earned less than \$11,490 from their art or craft activity." She goes on to say; "Medicaid expansion would mean that many of us would have preventative care for the first in our adult lives. Very little preventive care has been accessible to me. What's most concerning to me," she says, "my doctor recommends tests and procedures. Most I have to decline. It worries me because we all know a lack of preventive care shortens people's lifespans. Indeed, I've watched several friends die in the past few years because their illness was not caught in time. For myself and most of us in this income range, a \$15,000 catastrophic insurance policy is not an option. The premiums are unaffordable and the deductible is so high it prevents us from going to the doctor."

Knowing what it means to people like Brady and Sister Elizabeth and Sarah and 1,800 others in my district, it is clear that expanding Medicaid is the right decision, both morally and ethically. It is also the fiscally responsible thing to do. Refusing expansion would mean losing out on \$250 million per year coming into Maine for health services and employment contributing to our economy; \$250 million ensuring Maine people have family doctors and the quality of life issues, to ensure people have preventive care to stay healthy instead of hoping they don't get desperately ill. Now is also the time to start bending the curve downward on healthcare costs and preventive care is an important step towards that goal. That makes expansion a win economically, a win on quality of life, and a win in the battle to curb overall healthcare costs.

This should not be a partisan issue. Political gains should never come before standing up for Maine people and doing right by them. We've heard some things today about people being able to take care of themselves. I've just told you examples of people who are trying to do just that. They are unable to without being able to have access to healthcare, which is what we're deciding today. We've talked about letting the dust settle. I'm afraid that for people like this it will settle on people who no longer are able to hold a job because of their illnesses, people who will die because we don't make healthcare accessible to them. That's where the dust will settle. We talked about cost. There are no credible analyses to substantiate the claims of dire costs. The Alexander Report has been exposed for its \$575 million math error, its incomplete analysis, and its political motivations. Let's talk plainly about Maine's real \$200 million budget challenge because we shouldn't look myopically at what we don't have for funding for things like fighting green crab. The tax cuts in 2012 cost us a big part of our budget; benefited Maine's wealthy greatly while benefiting Maine's poor with far too little to make up for last year's Circuit Breaker Program cuts. Foregoing that, tax revenue had a real impact on cuts to departments. Meanwhile total spending on Medicaid in Maine was the same in 2013 as it was in

2009. Spending increased just 0.1% in the first half of this fiscal year. It's math that anyone can understand if we set aside faulty math long enough to look at the real numbers.

We talked about healthcare expansion and some has characterized it as welfare. Others have pointed out that we, here, get healthcare on the public dollar. Is that welfare too? I think it's easy to put labels on things. You've heard today a lot of the reality of what this means to Maine people without labels. The decision we make here today has nothing to do with balancing our state budget because for the next three years the Medicaid expansion, and I suppose that is actually two and a half years now because we're behind on getting this done, accepts and uses 100% federal funding and we are not locked in. Let me repeat that. This decision has nothing to do with balancing our state budget. The State's non-partisan Fiscal Office found the bill would save the State \$3.4 million in the first year alone. The direct budget impact was that it would essentially break even. The decision we make here today has everything to do with a different balance sheet; how you treat the least among you. We are deciding whether we care about the healthcare needs of struggling Maine people. I've shared the circumstances of some people in my district. Would you honestly say they are not truly needy? Don't they deserve to be seen? In my heart the rhetoric and politics have no place. They are part of the reality in these halls. In the end, they are not what matters. People matter. I'll be voting on this bill with a clear conscience and the steadfast conviction that it's the right thing to do. I know that if this bill becomes law it will do so with the support of the 61% majority of the people of Maine who feel as I do. Thank you.

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

Senator **CUSHING:** Thank you Mr. President. Ladies and gentlemen of the Senate, I've listened to the great debate on this issue and I respect that there are varying view points, many of which have again been enumerated today. While I may not agree with all of those, I do respect the course that many here have taken to address these concerns and the road that they've taken to come to the conclusion as to how they will vote. One concern I have that presents itself regularly here, and I understand why it does because we do take the constitutional oath and in that Constitution we are required to have a balanced state budget. Fiscal matters do count in the decisions that we make. What troubles me, Mr. President, is when we continue to try to tie things like healthcare into job opportunities or economic development. I may be wrong on this, and I'll certainly reserve the right to be wrong, but I feel like I'm in sort of a parallel universe when we're talking about this generating jobs and generating economic opportunities. This is health insurance that we're talking about. Coverage for people. I have property insurance, but I don't celebrate a loss. I have auto insurance and I don't look forward to an accident. It's counterintuitive to discuss creating jobs when we're hearing from our hospitals that they are struggling with other components of the ACA that indicate that sacrifices will be made in funding for Medicare with the hope that expanding Medicaid will make that hole up. I don't, in my world, understand how we're going to talk about creating over 4,000 jobs when I'm hearing from my hospital administrators that they are already running in the red. To me, Mr. President, I think we need to be careful because people listen to a lot of the debate that comes out of here. I hope my colleagues will reflect on that when they are

talking about the impact on people's lives because if we can't afford to do some of these things than we're putting people in a tougher position than some of them are in right now. I think we are constitutionally bound to make sure that we weigh on those financial obligations before we go forward with measures of this nature. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Aroostook, Senator Sherman.

Senator **SHERMAN:** Thank you Mr. President. Ladies and gentlemen of the Senate, it's been a long day so far. I noticed the snow is still melting, so whether it's from this hot room or not I don't know. I have six points to make, if I may. Many years ago, when I was talking about investing with a gentleman, his comment to me was, "Make sure you have your facts. Work hard to dig out facts and then weigh those facts. Once you get the facts and you are sure of them, then you can make a decision in a nanosecond." I'm not sure yet that I can make a decision in a nanosecond but I think I can do that. My first point is the state of Maine doesn't have any printing presses here. The federal government does. They print something fierce. I noticed in one of the newspapers that the federal budget is not balanced. The one presented, in the Portland Sunday Telegram maybe or the Kennebec Journal, is billions and billions of dollars out of whack. That's been proposed by the President. You have that piece of information. I'll give you a historical fact. Some of us were around when Jimmy Carter was President. Do you remember the inflation years? Ten, fifteen, twelve per cent. I was teaching school at the time. The Superintendent said, "We'll catch up. We'll catch up." I've been practicing law, which was a lot more lucrative at the time, and we never got caught up. We just didn't. Inflation comes with the printing of money. We talked about banks a few minutes ago. What's your interest in the bank? Got some money in the bank? A thousand bucks, two thousand bucks? What's your interest? Point zero something. Why? Because the federal government is handing out chits, if you will, to the banks and then printing money based on what they've given the banks. It was mentioned here by the good Senator, who didn't quite finish with what she had, from Cumberland about the bank issue and I think it's been mentioned before. There is no interest there. I ask you, ask those of us who tried to save some money so you wouldn't have to support us in our old age. I've got grandchildren for that, I guess. There's not going to be any money there. Inflation is going to chew that up. I was on the cusp on this thing. I've gotten all sorts of phone calls. I asked one of the good Senators to give me some data. Even with the data, with all due respect, it is not necessarily clear. I think those are things we need to look at. My last comment. I was talking with a gentleman outside, a Representative. We were talking about buying cars. I bought a Volkswagen, a brand new Volkswagen for \$15,000 to \$18,000. Gasoline was 25¢ to 30¢ a gallon. Our dollar is inflated. It's terrible what we're doing to the dollar. Those of you who know some history, you will remember the German Mark. They were running around with wheelbarrows. In a sense that is what we're doing. I understand the stories on the other side. We tend to do that. We tend to personalize things. If everything was based on a personal story a lot of us would be in a little bit of trouble, I guess. Thank you, Mr. President.

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

Senator **PATRICK:** Thank you very much Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, dealing with these issues of HHS I feel a little uncomfortable, and possibly a little unworthy, to speak on this issue because I've been blessed my whole life. I've had a livable wage job and I've always had health insurance. We're looking at voting up or down whether or not 70,000 people are going to get it, whether they be veterans or whether they be working people or whether they be the working poor. First of all, I actually come from what I consider a fairly poor county, the County of Oxford, which I share with my junior Senator from Oxford, Senator Hamper. I'd like to start off with a story that I was given. I had many within my own district, but I have one just across the district line from mine. A lady from Fryeburg. She says, "I'm a 61 year old and I moved to Fryeburg in 1996 to live and care for my youngest sister. My sister suffered a severe brain injury in 1981 when the car she was driving was struck. My sister was in a coma for eight weeks and we were told that she would be a vegetable. She isn't, but she can't live alone for many reasons. My sister and I live in the family home in Fryeburg that we co-own. I have worked my whole life from the time I was 13. Here in Fryeburg I was unable to find work in my chosen career so I got a job as a salesclerk part-time because working full-time wasn't possible given my sister's situation. The job doesn't offer health insurance and I don't have enough income to qualify for a subsidy. I was on MaineCare, but lost it in December. I promised my father that I would take care of my sister and I have kept that promise. At my age I'm terrified not to have insurance. I live in fear of falling or getting some illness. At my last doctor's visit in December my blood pressure was elevated. I'm doing what I can to stay healthy and I hope those things don't get worse. I can't afford to follow-up and if the doctor wanted to prescribe something I couldn't afford it anyways. I'm not willing to risk our home to my medical bills. I pray things change."

Ladies and gentlemen, I, too, have campaigned thousands and thousands of doors. Over my career I've probably hit over 50,000 or 60,000 doors and at least 7,000 or 8,000 in my first campaign for the Maine Senate. In Oxford we have 3,810 people eligible for MaineCare. If we did the math, and just divided it in half, I would be responsible for 1,905 constituents. Ladies and gentlemen, one thing I know is I'm going to have to go to those doors. I've met those people. In my district there are people without electricity. There are actually some people without inside plumbing. I was amazed when I found them. I've seen an awful lot of proud people and I know they are all over the state of Maine. They want to go to work if they can find a job. They'd love to maintain their health. So many live in abstract squalor that I'm ashamed to even say I'm debating as to whether or not I'm going to give somebody the opportunity to get healthcare. They are out there in every avenue in the state of Maine. You get off the Maine Turnpike and what do you find? You find people that aren't doing all that well. We talk about wanting to go to work. I live in Oxford County and I graduated from high school in 1972. I had the opportunity to choose one of five employers that were businesses, factories, around my area. In Oxford County it was booming. We had tanneries, canneries, shoe shops, dowel mills, paper mills, and bag mills. We had it all. Low and behold, about 50 to 54 of them are out of business. I'll tell you those proud people of Oxford County and the proud people of the state of

Maine want to go to work. They don't want to have to travel 200 miles to go to New Hampshire or go somewhere else in the state of Maine. It's not even practical. They've lived their whole lives here. They are proud people.

Let's talk about the numbers. We're talking 70,000 people statewide. What is that number? Otherwise than the human beings that we've already brought forward, that's 11 to 11.5 times the population of Rumford. In another way, that's 1.5 to 2 times the whole size of Oxford County, people that are going to have the opportunity to have healthcare. You put it in that perspective, I cannot imagine going through the whole area of Oxford County twice and saying that those people are finally going to get healthcare. We talk about priorities. I'm thankful for that. One of the things I'm looking at is our values. We know people are going to die if they don't have healthcare. I've got a picture of my grandson, who I love immensely. I love my wife and I love my family. I love my neighbors and I love my friends. I ask you, my friends, what is the value of a life? What is the value of 50 lives? If we don't pass this there will be immense on-going costs in the health of our citizens of the state of Maine. There will be on-going costs of lives in the state of Maine. Let's be realistic, ladies and gentlemen. We do a lot of crazy things here in the Legislature at times and we've all seen the ups and downs. We do know about the national economy. I've talked on it myself several times. We're not talking about the national economy. We're talking about potentially people's lives. This could be the gateway for them to finally get out of the situation that they're in. I don't know how many people that I've heard say, "I wish I had healthcare." I have to choke back to say to myself that I do have it. I have a friend who gave a speech and talked about how he probably wouldn't be here if he didn't have healthcare and it came on the citizen's dime. I hope, ladies and gentlemen, we're done and the right thing happens here. I hope we get more than 24 because it's important to tell the citizens of the state of Maine. I do agree, 61% of the people in the state of Maine do believe this is an important thing to do. I'd ask you to support this bill, L.D. 1487. Thank you, ladies and gentlemen.

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

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, this bill, for me, is something that really brings the whole thing full circle for me. Part of the reason I originally ran for the Legislature is for healthcare for people. Today it is quite possibly the last time I get a chance to speak on it. I'm certainly flooded with a lot of different emotions. A lot of different people talking about these issues. One of the things that struck me early in the debate was the good Senator Woodbury talking about the fairness issue. I think that's a great point. You know the fairness of life is really absolutely not fair. People get diseases, afflictions, for absolutely no fathomable reason. It just happens to them. Some small change in their DNA, some gene that's gone awry, whatever it is people end up with cancer, heart conditions, or you name it. It just doesn't seem to be at all fair. No one knows who's going to. Some people look very healthy and get these problems. Some people have a lot of money and get these problems. Some people don't have any money and get these problems. It cuts across every social, economic line you can imagine. For someone like myself and anyone in this Chamber, there really isn't anything you can do about it. There's also the fairness that you can do about letting people have

healthcare in this country. That is something that if you're well off, if you have a job that provides healthcare, if you happen to be in an industry that has a retirement system and healthcare, like a teacher or a State worker, than you are pretty lucky, or if you happen to be a government official, someone that's in this Chamber, you're pretty lucky. That's something that a lot of people would certainly hope to aspire to. Not everyone can be in that situation. That's certainly an unfairness. When you don't have enough money to provide your own health insurance, that seems to be an unfairness. This bill would certainly correct some of those issues. We talk about people, their situations and stuff like that. There are just unbelievable stories of how bad things happen to good people that never saw them coming at all. For me, like I said, bringing it back full circle for myself. When I stand here today, if I wasn't elected I, quite honestly, could be one of the stories that any one of you are talking about here. It doesn't make me feel at all good. It's something that bothers me a lot. It was something that I couldn't help. Earlier today, which seems to be quite a long time ago, I sent around a picture of someone I spoke about on this floor, my good friend Ryan Kelly. When you look at that picture the two of us are standing in it. There are seven of us in the picture. Two of us both had that problem of having an unfairness done to them as far as not knowing or not being able to control health issues. Both of us being loggers. Today we talked about able bodied people trying to get into this system and stuff like that. People can say what they want about myself but Ryan was certainly someone that was a hard working person. He did logging the way that I don't think anyone in here can debate. He used a chainsaw and ran around in the snow and dragged cables to trees. Probably one of the hardest professions there is in the state. Never asked for anything but a fair shot at getting a good job. This picture, part of it, was about the fact that he wanted healthcare for him and his young family. I'm a little upset that anyone would think that there are able bodied people in the state that are just trying to scam the system and get health insurance. Ryan was someone that, quite honestly, would have qualified most probably for this. I'm sure at that time, and I know very well for myself, that the \$16,000, a lot of times, he just barely made that. I know for a fact because I know, looking back at my taxes, many times I was underneath that line, just like I am this year. I'm standing here today as one of the people that, if I wasn't an elected official, I feel pretty comfortable would be able to qualify under this thing that we're talking about today. I think that that's perfectly part of the argument.

When people talk about able bodied people, I'm standing here on my third pacemaker only because of the fact that I have had health insurance because I was an elected official. After the first one I certainly didn't feel very much like I was able to work at all, but because of the idea that I had health insurance and I had good care, I can go back to work now and be someone that's effective in this society, be someone that's not a drain on the system. If I hadn't had that health insurance I, quite honestly, probably wouldn't be able to work because I know for a fact that I wouldn't have gone in and got this service. That's exactly what happened to Ryan. He did everything he could to be someone that did just want to work for a living and continue to do everything he could. He went to the emergency room, was told that he had something that wasn't that serious. Because he didn't have health insurance they didn't go any further. If you look at that picture, I mean, he's 21 years old. He was very fit. It would infuriate me for anyone to say he was someone that wasn't able bodied and didn't want to work. Because of that unfairness of

having a heart that wasn't as good as everyone else's he ended up passing away at 26 years old because he didn't have health insurance. No way around it. If he would have had quality health insurance they would have caught that and, quite honestly, he probably would still be here today. It bothers me a lot when we stand here and talk about who is able bodied and who isn't because those are the people that I actually see that are able bodied but don't have health insurance and don't have really any other recourse.

We're standing here today talking about giving health insurance to a lot of people that have no other option. What is our option here in this Body? What is the alternative? It seems like for some people the alternative is just don't get sick because there is no other option for some of these people. I looked at what the Navigator Plan said last night. For someone making \$11,000 the health insurance payments are \$500 a month with up to \$6,000 in payments and deductibles. That's out of reach for anyone who is only making \$11,000. It's unobtainable. For many of these people this is the only option that we're going to have. I'm really frustrated that people would stand here today and talk about the fact that we've got to wait for something else. What do these people do in the meantime while they are waiting? They've done nothing but try to want to work. They've done nothing but try to do the best they can. The cost of healthcare has gone out of reach for most of these people. Today we have a chance to give these people health insurance and it's only for three years. If there is something better coming down the road well then we'll go to that. Senator Katz and Senator Saviello and others have tried very hard to come up with a compromise plan that saves the State money. Here we are with that opportunity. It's really unfortunate that some people can't see how there's no other option for these people. They've done nothing wrong. In my area there are so many people that I see with no health insurance that are trying to make the best they can and just hoping that nothing more serious doesn't happen to them. That's a thing that, for me, to look them in the face, I'm ashamed. I'm embarrassed that we can't do something better for them. What would anyone say to someone like that? What do you say to someone like that? You've got to have them in your districts too. People that have done everything they could to make it work for that but it isn't working for them. This, to me, is at least an attempt to try to help some of these people with a problem. Like has been said earlier, ten years ago we didn't have this crisis with health insurance. Twenty years ago there was no real problem with getting health insurance. Now it's gone so far out of reach that for the everyday average person, they're just not going to make it.

This is a thing for me that is why I wanted to be a legislator. I don't think there is anything that's really any more important today than giving people the opportunity to take care of their health. I actually know people that we've talked about today that the outcomes for them are not going to be good. They're not going to be good for the State. People talk about the hospitals. The hospitals want this. The hospitals don't want to end up in another hole ten years down the road from now, which is where we are going if we don't give people health insurance in this country. It just doesn't seem to make sense to me why we would want to stand in the way of this right now. We have a lot of fail safes in this bill that have been put in to make sure that, if there is something that changes down the road, we could revisit it. I think that people worked very hard to come up with a compromise that saves the State money, covers these people. I just don't understand how people can go back to constituents and be able

to look at them and not say that they've done everything they could to try to help them. Yes, there are questions, there are concerns, and stuff like that. Is the alternative not worse? What are we going to give to these people? I would certainly appreciate and hope that people would think about people that don't have any other option. This is an option. It's an option that would certainly help them and we can do that today. We can make a difference in 70,000 people's lives. We can make a difference for people that have insurance in this country already because this would actually lower their cost. I think that all the way around it's a win-win. We have an agency, we have an office in this building, that has said that we're going to save money. They are non-partisan. They always give us our information. Most of the time people accept it, but for today, for some reason, people don't want to accept the fact that this is actually going to save us money. I would encourage you to think long and hard about those people out there that don't have any other option. You are the person today that could do that. The person that is here because they voted for you and allowed you to have government sponsored healthcare. Now, today, you are deciding if they are worthy of also having that.

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

Senator **WHITTEMORE:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise today in opposition to the motion and I promise to be brief. I'm sure everyone in this Chamber wants assurance that those who need and want medical care receive it. The truth is most of them do now. There are two major problems with expanding Medicaid. First, based on the experience with the last expansion in 2001 which created a debt of more than half a billion dollars to our hospitals, commonsense indicates that to do this again would be critically irresponsible. We must instead continue to work with the Department of Health and Human Services to find more efficient and less expensive ways of providing healthcare for those folks who need it most. Second, to expand Medicaid under the federal rules would inflict a malignant cancer of dependency on thousands of Mainers who could otherwise provide for themselves through the Exchange or private insurance. In too many cases this dependency erodes self-esteem, discourages responsibility and motivation, creates a feeling of entitlement, and is a road to helplessness. We can all agree that there are those who need help with their medical care costs. Many of those folks are on a waiting list and some are receiving care already. A continued effort to find affordable and more efficient ways to provide care, such as prevention, managed care, walk-in clinics, home care, and others, would be a wiser choice. We must not be tempted again to expand Medicaid which will inevitably take us down that road of hopelessness and financial self-destruction. Thank you, Mr. President.

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

Senator **MILLETT:** Thank you Mr. President. Men and women of the Senate, I wish to speak in support of the bi-partisan compromise proposal before us today. A recent poll shows 61% of Mainers support expansion. We've heard personal stories. We've heard them today. They've e-mailed us. They've talked to us in the halls. For those of you not inclined to support expansion I would ask, why? If making people healthier, and even saving

lives, is not compelling than perhaps you'll be persuaded by the economics. Expanding MaineCare would inject \$250 million into our state's economy. We will create jobs, estimated at more than 4,500, and increase desperately needed economic activity across the state. In addition, studies from both the Kaiser Foundation and the Heritage Policy Center have confirmed that there are cost savings from the Medicaid expansion. They both project that Maine would save \$690 million over the next ten years. State Medicaid payments will decrease \$570 million and uncompensated care is reduced by \$120 million. This later figure is significant because to make up for these uncompensated care costs doctors and hospitals charge insurers more for the services provided to patients who do have health coverage. Insurers in turn charge higher health insurance premiums to consumers and businesses. This cost shift to premiums creates a hidden health tax. A Families USA report shows that the average insured family paid an additional \$1,000 in premiums in 2008 to cover the cost of care for the uninsured. Business leaders across the country, in Maine, New Hampshire, Kansas, Ohio, Missouri, Michigan, and Colorado, to name a few, have endorsed expansion because they would like to stop bearing in part the cost of caring for the uninsured through higher healthcare premiums for their workers. Maine businesses compete with companies benefiting from this reduced burden across the country and around the world. To end, I would like to quote Governor Jan Brewer of Arizona who signed a law to expand Medicaid in her state. She said this when announcing her support for Medicaid expansion in Arizona. "With this move we will secure a federal revenue stream to cover the cost of the uninsured who already show up in our doctor's offices and emergency rooms. Weigh the evidence and do the math. With the realities facing us, taking advantage of this federal assistance is a strategic way to reduce Medicaid pressure on the state budget. We can prevent healthcare expenses from eroding core services such as education and public safety and improve Arizona's ability to compete in the years ahead." Please vote in support of expanding healthcare coverage in Maine and help Maine to compete in the years ahead.

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

Senator **THIBODEAU:** Thank you Mr. President. Ladies and gentlemen of the Senate, I think there are about 1.25 million Mainers that are going to look back on 2014 and think, "Golly, I remember that as the coldest and snowiest winter on record." I would also suggest to you that there are 186 legislators that are going to look back at the winter of 2014 and think, "Golly, I think we were going to debate Medicaid expansion forever." Only a few short years ago Congress passed what Republicans refer to as Obamacare, what Democrats refer to as the Affordable Care Act, and I potentially think that Americans all across this country in years to come are going to refer to as the Unaffordable Care Act. On a partisan vote on a snowy morning that vote has rendered Washington incapable of working together, by most accounts, and left it in a dysfunctional manner. Ladies and gentlemen, I want to assure you and every person that's within earshot, every citizen of this state, that this cannot and will not be the result of this Medicaid expansion vote. Senator Katz and Senator Saviello, they are my friends and I believe in my heart that they believe this is the right path forward for the state of Maine, just like I believe Senator Jackson believes that or Senator Cain on the other end of the aisle believes that. At the same

time, with all due respect, I hope that our colleagues recognize that many Republicans truly believe that it isn't the best path forward. It isn't that Republicans don't care. We care very much about the future of our state. That fact of the matter is, as a result of what Republicans refer to as Obamacare, we are faced today with a decision about funding, putting in place, a huge expansion of a welfare system that we recognize as consuming a tremendous portion of our state's budget. That mandates, the canceled policies, the deals that were given to special interest groups that have special consideration, i.e. unions, who don't face the Cadillac Tax that's upcoming that individuals will. That's created a tremendous burden on the job creators in this country. As a result of that, I feel like our nation's economy is stuck in second gear. We'd love to get it into third and fourth and make it go, but all this uncertainty around the Affordable Care Act that has created tremendous uncertainty and discomfort with those who would make investments and create these jobs. All these unknowns have really dragged our nation's economy down. By expanding MaineCare, if we were to do that, I feel like it would have the added effect, beyond just being stuck in second gear, of applying the brake to Maine's economy. Here is why. I think the Administration, over the past few weeks, has done a really great job.

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

Senator **HASKELL:** Thank you Mr. President. Mr. President I believe that the Senate Rules require that when members speak they address the President.

**THE PRESIDENT:** The Chair would respond that I have given great latitude all morning, and now most of the afternoon, with everyone's remarks. I would just encourage all the Senators to try to focus their remarks and attention to the President. The Chair recognizes the Senator from Waldo, Senator Thibodeau.

Senator **THIBODEAU:** Thank you Mr. President. If I turn to the left or the right I apologize for that. I will try to remain focused on you and you alone.

I think that the Administration has done a really great job the last few weeks of pointing out all of the drains, all of the different agencies, that are part of our state's budget, whether it's the Department of Inland Fisheries, Marine Resources, the Department of Environmental Protection, or frankly, for that matter, the Department of Health and Human Services, having many, many programs that have to go unfunded because we have what we call Medicaid which is consuming a larger and larger portion of our budget every day. Ladies and gentlemen, Medicaid sucks the very life out of our other state agencies and I think we all recognize that. We've been told here today that we're turning our backs on \$1 million a day in subsidies from the federal government. We're told that that's our money. I beg to differ. I actually believe that that's our grandchildren's money. It's money that will be added to our national debt, an unsustainable, in my opinion, national debt that grows in an alarming rate. We have a promise of a 90% reimbursement rate moving forward after three years.

Ladies and gentlemen, I, too, went on some of the Exchanges, did a little bit of research. I want to assure you that we're not turning our backs on \$1 million a day in federal subsidies. Quite to the contrary. There's a different path forward.

That path includes having individuals that make above 100% of the federal poverty level join with, or go to the Exchanges. They have navigators that will help them through the process. For as little as less than \$5 a week they can buy insurance policies. If they purchase a silver plan, not only will they receive subsidies on the premiums, they also will receive subsidizes on the co-pays and the deductibles. There are tremendous opportunities for people with low and moderate incomes to access this. I want to assure you that I don't think anybody in this room is trying to mislead anybody, nor have I been lead to believe that anybody has said that about me in this room. I want to be clear. Individuals that make less than 100% of the federal poverty level have an exemption. I'm going to read that exemption to you. It comes from the Robert Wood Johnson Foundation. They've got a primer for assisters. It's dated October 29, 2013. That exemption says, "You anticipate your annual income will allow you to qualify for a premium tax credit." That's prospective, you anticipate, i.e. your estimated income is above 100% of federal poverty, estimated. You receive an APCD for the year. Ladies and gentlemen, that's about looking forward. It's about making a commitment to your own economic future. You anticipate. It says, "However, at the years end if your income is less than 100% of federal poverty you are not" and it's underlined not, "required to repay the APCD. Instead your premium tax credit will be calculated based on your actual annual income." Make no mistake, if you cannot in good conscience commit to improving your economic situation, if you do not believe that you can make more than the \$11,900 a year, you should not apply for these subsidies.

With that being said, ladies and gentlemen, shouldn't we be encouraging all of our neighbors and friends that find themselves in a situation where they're living below poverty, shouldn't we try to help them and encourage them to find an opportunity to improve their own economic future? I think that's what many of us on this side of the aisle think and believe. I also think that we feel like our state is just in a position where it simply cannot afford to take on another program when we face budget shortfalls that we can't currently fund. They struggle down in Appropriations every day with closing that budget. In just a few short years, potentially, depending on whose numbers you want to believe, we'll be facing \$40 million or \$80 million of new expenditures. I asked all the members sitting here today to join me in doing the right thing. Let's allow individuals to access the private insurance market, with these subsidizes that exist, while we truly allow Washington to pay the bill moving forward.

On motion by Senator **THIBODEAU** of Waldo, 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 Cumberland, Senator Gerzofsky.

Senator **GERZOFSKY:** Thank you Mr. President. Ladies and gentlemen of the Senate, this isn't a subject I normally rise on and I've been listening to this debate all day. I've been in my seat. I've been listening to everything that's been said. I think I have something different that I'd like to talk about. As some of you know here, I've been on the Board of Directors of a small faith based hospital for quite a few years. I stop into that hospital, not only as a board member but as a visitor visiting a sick friend or relative. I was in the hospital this morning visiting a sick relative.

I quite often will go over to the nurses' station and see how things are going. I talk to the doctors. I know them all. I ask them what's going on. Today it was a little bit different. They wanted to know from me what was going on. They wanted to know what the matter with the air that we breathe up here to make us think so funny sometimes. I had to agree with them that some of my friends think a little different than I do and I think a little different than they do on some of these issues, this being one of them. I sometimes think I'm one of the clergy there because I'll go from room to room visiting some of the patients because they are my constituents, but they are my friends. I know quite a few of them. I will ask them, Mr. President, what's going on, how they feel, what happened. I'll ask the nurse or the doctor. Quite often I'll be talking to someone who could be a single mom with two kids or it could be a 40 years old guy or it could be anybody. It could be a senior. What is sad sometimes is when I'm talking to somebody that I know is out working 60 hours a week at a low wage job. We've got a bill coming around called the Right to Work for Less. They work for those kinds of jobs and they can't really afford health insurance. The doctors tell me, and the nurses tell me, that that same person who works real hard and can't have health insurance, because they didn't have their annual check-up, their illness, their disease, their problem, which could have been found at one of those, wasn't able to have the relationship with a doctor that we all have, because we all have nice insurance. We have relationships with our doctors and go in and we have our annual check-ups and we try to do the best we can at trying to live a healthy life. Some other people aren't so fortunate. They tell me, "Stan, what's wrong up there because it seems so simple to us, that providing these people that work, providing the people that need it, that relationship with a doctor so that we can see these problems early on. We'll prevent an awful lot of suffering. We'll be able to do it much much cheaper. This poor woman here came in Sunday in an ambulance in the emergency room. If she was my patient, and would have come in last week, I'd have had her walk over from my office and we would have admitted her and we would have had her out of here in a day. Now she's going to be in here a week and it's going to cost us a lot more money." Mr. President, these are the things that my constituents are asking me. These are the things that my doctors and nurses are asking. I have the benefit of being on the board so they might talk to me more, but I doubt it. I've been going and doing this for so long. I'm going to see the patients and asking how they wound up being a patient and finding out that quite often had they had some sort of healthcare, had they been able to have a relationship with their doctor, if their family had had the opportunity, we would have saved ourselves a ton of money. When we start looking at what this really means, go into your hospitals and you talk to the staff. I always say, even in this building, talk to the staff and you'll learn about things. I used to be part of the staff. Go to the hospital and talk to the staff, you might learn something. Go in and talk to those patients. You don't have to be a Catholic Priest to go in and see the patients. You can just go in and talk to them, as I do. You learn an awful lot. Let me tell my friends, ladies and gentlemen of the Senate, here, Mr. President, I'm really disappointed that when somebody asks me what kind of air we're breathing up here because to them they think we're just a little bit off, that it sounds so simple and is so simple to get coverage for 70,000 Mainers, covered by the federal government for a minimum of three years and to be able to sunset if it doesn't work at the end of those three years. To me, it just sounds like the people at home are right; we're

breathing some funny air. Thank you, ladies and gentlemen, my friends on both sides of the aisle, and Mr. President.

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

Senator **THOMAS:** Thank you Mr. President. Ladies and gentlemen of the Senate, we currently provide free health insurance for 300,000 people in Maine and spend about 25% of the State budget to do that. This bill is about adding 70,000 to 100,000 able bodied Mainers to those rolls. It's my understanding that many of those people could buy that health insurance themselves on the Exchanges for a little more than what it would cost me for razorblades. When my children had homework and they brought it home I refused to do it for them because it was wrong and did them no good. I would do them harm. I won't vote to provide something for nothing that able bodied people should be providing for themselves. I believe it's corrosive to society to provide for people what they should be providing for themselves. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Oxford, Senator Hamper.

Senator **HAMPER:** Thank you Mr. President. Ladies and gentlemen of the Senate, I do have to tell the members about an e-mail I received from a constituent in Denmark who told me she is making \$16,000 a year. She went on the Exchanges and for \$5 a month she picked up a silver plan. I said earlier that I would address the fiscal note, so that's the reason I rise. The Office of Fiscal and Program Review, their independent analysis, neglected to take into account the financial information provided to them by the Department of Health and Human Services. Granted it is common for State agencies to supply OFPR with data regarding legislation that's going to impact the budget. My points are, I did them in an acrostic. A MaineCare acrostic. Hang with me here.

M - is for Medicaid, Medicare, it's all the same.

A - actual expenditures. OFPR's account for the parent population does not reflect actual DHHS expenditures. OFPR estimates that the per member per year cost is at \$1,618 per member per year. That's what they estimated at. Actual expenditures is \$2,862. A \$1,200 difference per member per years times the number of members. Difference in State cost, \$17.8 million in 2016 and \$18.7 million in 2017.

I - the I in MaineCare is in staffing. DHHS estimates \$2.5 million in staffing costs. OFPR estimates \$2 million. There's a half million dollars.

N - no longer. We have parents who are currently receiving transitional Medicaid and for one-quarter of the year in 2015 they will no longer be receiving benefits. OFPR does not account for this expense. The Department expects it to be around \$4.2 million.

E - eligible. DHHS estimates that parents will drop their private insurance if they are eligible for Medicaid. We've seen this before. This would include their children. The Department anticipates that 7,500 persons will make the switch, \$6.6 million in 2015 and \$6.4 million in 2016.

C - the C in MaineCare is commensurate. The federal government has warned us that shifting funds from existing programs could force states into losing federal block grant funding

in the amounts commensurate with the shifted state funds. We'll have lost a block grant.

A - assume. The bill has vague language about savings. If you really look at the fiscal note, vague language. I know, we'll find it. It assumes \$5.9 million in savings the first year and \$11.8 in each of the two following years. Assumes. The Department analysis shows minimal or no savings at all. One only has to look at the history of Medicaid in this state to determine the outcome of expansion.

R - receive benefits. OFPR disregards the woodwork effect of people who were not identified as uninsured or currently not covered by Medicaid. They will literally come out of the woodwork for benefits. The Department estimates 1,600 people will line up for free benefits at the estimated cost of \$1.6 million in 2015 and \$2.3 million in 2016 and 2017. The Department also figures in to spend an additional \$9.4 million for able bodied adults, the so-called non-categoricals, in fiscal year 2017, where OFPR included just \$3 million for this group.

E - the E in MaineCare is for estimates. For the three years, OFPR estimates \$700,000. The Department has a figure of \$84 million.

Mr. President, this issue is not about healthcare access. It is all about how we pay for healthcare. Might I suggest that when this is all said and done we take the fiscal note and take it down to the library and file it in the fiction section. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Franklin, Senator Saviello.

Senator **SAVIELLO:** Thank you Mr. President. Last year when we debated this I didn't stand up and say much. I kind of listened, as I have today. I actually spent a little more time preparing this testimony than I normally do because many of you know I often sit here with my pen and write my testimony as I get ready to stand up. I've heard a lot of things today, a lot of things that I wanted to make sure that I at least tried to cover and how I understand the issues. I'm going to talk to you about some of the issues that I've heard and that I've done some homework on too.

Let me first talk about what we haven't, and I don't want to get into it. There are two reports. Actually three reports if I count the one from the Office of Fiscal Policy. One has lots of costs. One has lots of savings. I've said this since day one, somewhere in the middle lies the truth. Perhaps it's our fiscal note. Perhaps it's not, as we just heard. I, as a former forester, yes back in the days when I had peace and tranquility in my life, did quite a bit of financial analysis, looking at various forestry opportunities. I always looked at what was the reasonable best, reasonable worst, and most probable outcome. Yet, all of you will remember that is in fact the bell-shaped curve. In the expansion analysis that we just heard about I think we have one that is optimistic, one that's pessimistic, and I believe the one we have is right on the money. We all have gone down to the Office of Fiscal Analysis not happy with the note that we saw there. We all have made the arguments that we have better numbers than they do. At the end of the day, in my 12 years of service to this Body and to the other Body, I've learned that they are pretty close to what they do.

Hospital charitable care. I received this letter from my hospital CEO and I want to share parts with you because it really hits home. The "I" in the letter is my CEO. "As the Maine Legislator deliberates the issue of MaineCare expansion I believe it's important for the residents of Franklin County to understand



the implications of passing MaineCare expansion legislation onto our local community health system, including Franklin Memorial Hospital. Over the past years the hospital has seen a dramatic increase in the needs of patients and families in our geographic area who are requiring primary care services and hospital in-patient and out-patient specialty care. We are seeing more of these individuals who have no health insurance coverage but who could be covered under the MaineCare expansion proposal before the Maine Legislature." I want to emphasize this sentence. "This means they will have a better chance in receiving the right healthcare at the right time in the right setting. Individuals without health insurance who seek care at Franklin Memorial Hospital usually receive charity care, which has gone up exponentially in the last two years. During this time the hospital has provided approximately \$22 million in uncompensated care. This increase amounts for 7% of the hospital's total budget. There are many questions about what MaineCare expansion will cost the State of Maine. In actuality the federal government will finance approximately 95% of the cost associated with the expansion through 2016 under the Affordable Care Act. It is true," she says, "after 2016 the State of Maine will assume more financial risks, however," she says, "the next three years allows us the time to truly focus on how we can deliver healthcare to all citizens in Maine for a lower cost while maintaining the quality of services." They've done some of those things already at the hospital.

The cost outlined in this letter will be paid by us one way or the other. The first way we've already heard about. It will be passed on in our health insurance premiums or, yes, through the expansion and the ACA. We will be taxed through something called the HIT tax, health insurance tax, and the insurance surcharges and lower payments to our docs and hospitals. These are taxes, that's what Judge Roberts found, and will help pay for the expansion. So we can pay me now or pay me later. Why not take that money for us with jobs, reduced charitable care, and create a healthier population? As my CEO said, "However, the next three years allows the time to truly focus on how we can deliver care to all citizens in Maine at a lower cost while maintaining the quality of services."

Managed care. As it now stands if you have Medicaid you have to find a doctor who accepts it. It is now necessary to find a network of providers. The lack of network may cause Medicaid recipients to put off signing off with a primary care doctor. They may wait until the health problems progress and they seek out emergency care or expensive hospital out-patient work. The managed care system will fundamentally alter the Department of Health and Human Services, a paradigm shift. The focus would shift away from the processed claims towards strategically handling contracts and protection of Medicaid paid recipients. Having good contracts with a few care networks could provide much needed access to healthcare.

I was recently provided an article by one of my constituents that talks about the positive outcomes from expansion: 3,100 people treated for depression, 1,862 provided with proper diabetic treatments, 1,055 mammograms, 1,886 pap smears, resulting in 953 fewer catastrophic health cases. If I use a little bit of math and know that some of these cases that went out of control that actually cost as much as \$100,000 per case, that's \$95 million. That certainly is a savings, I would think. I have been hearing talk about, "Well the hospitals have been doing things." Local hospitals are taking efforts to manage this care. I totally agree

with that. In fact, our bill lets that go forward. We support that idea and certainly want to continue that effort as we go out there.

Insurance coverage. I, too, have gone to the various calculators that are out there. I put a single male in from Wilton, center of the universe, making \$15,000 a year. I found, in fact, the premium was \$1.57. A pretty cheap razor, one might say. Yet I found the deductibles were huge, like \$5,000, \$6,350 out of pocket expenses and 50¢ co-pays. I put a family in; a mother and two children. Same premium and the same kind of deductibles. As it has been said, there are subsidies on the Exchange and I tried to go there. Interestingly enough, I couldn't get in, which I've heard other people say. Keep in mind these same people have to pay rent with their money. They have to pay for their food. They have to pay for gas. They have to take care of their car. They have to buy clothes. I'm not sure how much money they'll have left even after it is subsidized. I also looked at a person making an income of \$8,000. I'll give you my two examples in a bit. The premium was \$750.60 per month with the same deductibles that I described before without a chance of a subsidy. I'll talk about that in a minute. The bottom line to me, yes, insurance is available and affordable. Yet the cost to use it is prohibitive. Three things could happen in my mind. One, they could use the services, which they could claim they could not pay. Charitable care. Two, they could choose not to use the policy until really necessary. The cost of care would be huge, as they would let a serious case go on too long without treatment. Three, they could use the policy and try to pay. This choice could lead them to the ultimate safety net.

I want to share with you what I heard in a song this weekend by a group that a friend of mine asked me to go to. I can't tell you what kind of music they played because I have a lead ear, or actually probably worse than that. They were called Lou and Peter Berryman. They called this song "The Family Car." I want you to just think about what I'm reading to you, about the safety net. "It seems like nothing had paid off, unexpected laid-off. We were just evicted. Our hearts so heavy. Yet we are thankful. We have half a tank full. We're all able to squeeze into the Chevy because when you're down and out, as low as a man can get, remember the family car is America's safety net." There is more to the song, but I think you get the message.

Healthy people, I've heard this quite a bit and I've really tried to understand what they look like. One of the things I started to think about is when I look at somebody and I see them healthy, walking around, I don't know their story. I don't know what's going on with them. I don't know anything about them. I don't know if they've been laid-off. I don't know if they have cancer. I don't know if they have a mental illness. I just see a healthy person in front of me. Let me give you my two examples. The "I" in this one happens to come from the constituent's voices. Both of these individuals make less than \$10,000. The voice in here is the constituent's. "One of my older brothers is 53 years old, has mental illness and it has affected his ability to work and retain reasonable jobs. He had a lot of odd jobs, including carpentry, millwork, house painting, and food services. He's too proud to go for any kind of disability insurance. He currently lives with our elderly parents and is their primary care provider; a big responsibility ever since Dad's stroke. When anybody needs a helping hand he's there, including helping the elderly relatives, and getting paid with casseroles and clothes. He does valuable work but he doesn't qualify for the subsidy." The second person, "I'm a person with no income. I worked for 33 years for a company. I was let go, downsized. Unemployment ran out. Had

a part-time job for two months. It was all I was able to find. I was one who signed up for and was qualified for charity care at FMH. In the year I had it I had to use it once. I was so fearful I did because I thought I was having a heart attack. It wasn't, thank God. When I tried to apply again I was told, "We don't do that anymore. You'll now have to go through the bills." She would be covered if expansion takes place. This last person hits home with me personally because I've lived through four downsizings. Fortunately I survived, but my friends did not. This older, dedicated worker didn't qualify for anything yet, too young to retire, too old for anyone to hire, too young for Medicare and Social Security, yet too old to be without insurance. This expansion would cover both of those individuals and they are both at low incomes, that they would not qualify if they could not make a statement that they would be above \$10,000.

As I thought about this again it was just funny because this weekend I went to this concert and they sang a song called "Homelessness." I promise you I'm not going to sing, because if I did you all would leave. I promise you that. Let me read what it says because I want you to listen to the message, even though it's contributed to homelessness it really struck me. "I never dreamed I'd be without a home to comfort me until a friend of mine this very spring lost his whole house and everything. Now I know that life is strange, that all is luck and luck can change. Don't forget, it's sad but true, next time it could be you. The run-away truck, one slip in the muck. One stretch of bad luck. One family feud. One litigious old prude. One long bad mood. One toaster too hot. One investment that's not. One tiny blood clot. One decision on gin. One paycheck too thin. One dumb night of sin. Next time around it could be you."

My mother often told me, and some of you have read this, and my mother is reverberating in my head. I hear you, Mom. Okay, stop it. My mother used to tell me, by the grace of God it could be me. My story could be different. Before you ask the question about the healthy individual know their story.

Fraud, we've talked about this. We're all concerned about it. Last week I had a businessman who called up to express his concerns about his disappointment in supporting this plan. He told me about fraud. I challenged him and asked for a name. He gave it to me. Looks like we've caught that person bilking the system. I say give me the name. Let us catch them. This bill expands that action, Section 21 and 29. This is a problem clearly, to me. However, the savings in this bill, I think, can address and help these individuals. Let me make it clear, they all have health coverage. I don't want to make light of this problem. However, working within the rules, as my good friend Senator Katz addressed, I think we can make this situation better.

Finally, my constituent wrote me and said this, again she is the "I". "In any case, I think the expansion plan needs to be seriously considered and implemented. It's a good test for the expansion itself and will immediately help out some of the folks who need it for their healthcare. The only other option for them is to have no health insurance, which only sets people back when they get injured or sick, miss work and they can't get their jobs back or can't catch up financially, contributing to the vicious cycle of poverty." The people I have mentioned are good people; not lazy, not expecting handouts, and are willing to contribute to their towns and communities. By giving them an option to take healthcare coverage, we're investing in the health of our state and our communities and not standing by while people get sick and remain uncared-for. My mother always told me, help the less fortunate. I grew up in a very similar way to some of the other

people in this room. My mother worked in the times in the 1950's when it was unusual for a mother to work. My father worked two jobs. He went to sea for five years to make extra money. They made things work. They helped me with opportunities because they loved their family, and even me. All the time my mother would remind me, even when we were having tough times, that there were many less fortunate and they needed our help. She would say to me, don't forget them. I won't. I will vote green on this bill. Thank you, Mr. President.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Craven to Accept the Majority Ought to Pass as Amended 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 (#448)**

**YEAS:** Senators: BOYLE, CAIN, CLEVELAND, CRAVEN, DUTREMBLE, GERZOFOSKY, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, MAZUREK, MILLETT, PATRICK, SAVIELLO, TUTTLE, VALENTINO, VITELLI, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND

**NAYS:** Senators: BURNS, COLLINS, CUSHING, FLOOD, HAMPER, LANGLEY, MASON, PLUMMER, SHERMAN, THIBODEAU, THOMAS, WHITTEMORE, YOUNGBLOOD

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **CRAVEN** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

**READ ONCE.**

Committee Amendment "B" (S-419) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Ordered sent down forthwith for concurrence.

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Senate at Ease.

Senate called to order by the President.

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Out of order and under suspension of the Rules, the Senate considered the following:

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Require a Work Search for Job-ready Applicants for Benefits under the Temporary Assistance for Needy Families Program"

H.P. 1302 L.D. 1815

Comes from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

On motion by Senator **LACHOWICZ** of Kennebec, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

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Out of order and under suspension of the Rules, the Senate considered the following:

### PAPERS FROM THE HOUSE

#### Joint Resolution

The following Joint Resolution:

H.P. 1305

#### JOINT RESOLUTION IN HONOR OF AGRICULTURE IN MAINE

WHEREAS, recent statistics show that agriculture in Maine has grown and continues to lead the New England states with 8,174 farms, and the value of Maine's crops and livestock grew 24% over the past 5 years; and

WHEREAS, Maine's agricultural enterprises provide more than \$764,000,000 through the sale of farm products and contribute more than \$2,000,000,000 annually to Maine's economy; and

WHEREAS, Maine people believe that local Maine agricultural products are of better quality and value and these products are increasingly locally available in farmers' markets, schools and institutions; and

WHEREAS, Maine farmers are the stewards of 1.45 million acres of land, a vital resource in maintaining Maine's rural economy as a key component of Maine's agriculture, forests and recreation interests; and

WHEREAS, Maine is first in New England in the production of food, first in the world in the production of wild blueberries, the world leader in the production of brown eggs, third in the Nation in the production of maple syrup, eighth in the Nation in the production of fall potatoes, second in New England in milk and livestock production and the only state anywhere involved in the commercial production of fiddleheads; and

WHEREAS, agriculture has always been a part of Maine's prosperity, and it helps maintain much of Maine's scenic open space, provides recreational opportunities and is the character of Maine's rural communities; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the Second Regular

Session, pause in our deliberations to honor Maine farmers and innovators who have contributed so much to the betterment of our State, to pledge our support and encouragement and to urge the youth of Maine to pursue the growing opportunities for careers in today's technologically advanced agriculture industry; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Commissioner of Agriculture, Conservation and Forestry, as a token of the esteem in which those in this vital field are held.

Comes from the House, **READ** and **ADOPTED**.

**READ** and **ADOPTED**, in concurrence.

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Out of order and under suspension of the Rules, the Senate considered the following:

### REPORTS OF COMMITTEES

#### House

#### Pursuant to Public Law

The Committee on **TRANSPORTATION** on Bill "An Act To Amend the Law Concerning the State Cost-share Program for Salt and Sand Storage Facilities"

H.P. 1304 L.D. 1817

Reported that the same be **REFERRED** to the Committee on **TRANSPORTATION**, pursuant to Public Law, chapter 354, Part O, section 1.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TRANSPORTATION**.

Report **READ** and **ACCEPTED**, in concurrence.

**REFERRED** to the Committee on **TRANSPORTATION**, in concurrence.

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#### Pursuant to Statute

The Committee on **GOVERNMENT OVERSIGHT COMMITTEE** on Bill "An Act To Address Recommendations from the Report by the Office of Program Evaluation and Government Accountability Regarding the Public Utilities Commission"

H.P. 1303 L.D. 1816

Reported that the same be **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**, pursuant to the Maine Revised Statutes, Title 3, section 997, subsection 2.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**.

Report **READ** and **ACCEPTED**, in concurrence.

**REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

**REPORTS OF COMMITTEES**

**House**

**Ought to Pass As Amended**

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding Appointments of Certain Positions in the Department of Corrections"

H.P. 1188 L.D. 1616

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-677)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-677)**.

Report **READ** and **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-677) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Allow Fishing Closer to the Fishway on Webber Pond in Vassalboro"

H.P. 1219 L.D. 1695

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-673)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-673)**.

Report **READ** and **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-673) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **STATE AND LOCAL GOVERNMENT** on Resolve, Directing the Bureau of General Services To Sell Certain Property To Assist Homeless Veterans by Establishing a Homeless Veterans Shelter

H.P. 1178 L.D. 1606

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-678)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-678)**.

Report **READ** and **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-678) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

**PAPERS FROM THE HOUSE**

**Joint Resolution**

The following Joint Resolution:

H.P. 1308

**JOINT RESOLUTION COMMEMORATING THE 175TH ANNIVERSARY OF AROOSTOOK COUNTY**

WHEREAS, Maine's northernmost county is Aroostook County, known throughout the State as "the County," and it has long been nationally recognized for its unique character and for the perseverance and fortitude of its inhabitants; and

WHEREAS, this largest county of the United States east of the Mississippi River, about the size of the states of Rhode Island and Connecticut combined and covering an area of 6,828 square miles, was incorporated by an Act of the Maine Legislature on March 16, 1839 and has become known as "the Crown of Maine" because of its location and size and its prominence in the history and affairs of our State; and

WHEREAS, the County, the ancestral home of the Maliseet and Micmac Indians, was first explored by French and English traders and frontiersmen in the 1600s and was permanently settled in the north by 200 Acadian pioneers at Madawaska in 1785 and in the south by Joseph Houlton, Aaron Putnam and Oliver Taylor at Houlton in 1804; and

WHEREAS, ever since those first settlements, a special spirit of independence has been required to live in the most northern part of the State, and later settlers from southern Maine, New Brunswick, Canada and the Kingdom of Sweden were drawn to the spectacular natural beauty and abundant natural resources of Aroostook County; and

WHEREAS, many people in the northern region of Aroostook County, as the descendants of the people of the original Acadian colony of New France, play a vital role in the preservation of this historic Acadian and French culture; and

WHEREAS, this vast expanse of woodlands, farms and communities serves not only the material needs of New England for lumber, paper, wood products and potatoes, but also refreshes the spirits of countless hunters, hikers, anglers and outdoor sports enthusiasts who come to Aroostook County each year for respite and recreation; and

WHEREAS, the County is an important part of Maine's heritage and mystique and epitomizes the self-reliance and self-sufficiency of the people of Maine; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature of the State of Maine now assembled in the Second Regular Session, take this occasion to recognize the 175th Anniversary of Aroostook County, to commend the inhabitants and officials of this area for the success they have achieved for 175 years and to extend our sincere hopes and best wishes for continued success and achievement through the years.

Comes from the House, **READ** and **ADOPTED**.

**READ** and **ADOPTED**, in concurrence.

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Out of order and under suspension of the Rules, the Senate considered the following:

**REPORTS OF COMMITTEES**

**Senate**

**Ought to Pass**

Senator PATRICK for the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Designate Maine State Housing Authority To Receive Funds from the National Housing Trust Fund" (EMERGENCY)  
S.P. 714 L.D. 1790

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

Report **READ** and **ACCEPTED**.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**

Sent down for concurrence.

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Out of order and under suspension of the Rules, the Senate considered the following:

**ENACTORS**

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

**Emergency Measure**

An Act To Improve Enforcement of Marine Resources Laws  
H.P. 1233 L.D. 1723  
(H "A" H-680 to C "A" H-672)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

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Out of order and under suspension of the Rules, the Senate considered the following:

**PAPERS FROM THE HOUSE**

**Joint Order**

The following Joint Order:  
H.P. 1310

ORDERED, the Senate concurring, that when the House and Senate adjourn, the House does so until Tuesday, March 18, 2014, at 9:00 in the morning and the Senate does so until Thursday, March 13, 2014, at the call of the President of the Senate and that the Senate reconvene on Tuesday, March 18, 2014 at 10:00 in the morning.

Comes from the House, **READ** and **PASSED**.

**READ** and **PASSED**, in concurrence.

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Senator **CAIN** of Penobscot was granted unanimous consent to address the Senate off the Record.

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Senator **TUTTLE** of York was granted unanimous consent to address the Senate off the Record.

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Senator **SAVIELLO** of Franklin was granted unanimous consent to address the Senate off the Record.

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Senator **VITELLI** of Sagadahoc was granted unanimous consent to address the Senate off the Record.

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Senator **KATZ** of Kennebec was granted unanimous consent to address the Senate off the Record.

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Senator **JACKSON** of Aroostook was granted unanimous consent to address the Senate off the Record.

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On motion by Senator **JACKSON** of Aroostook, **ADJOURNED**, pursuant to the Joint Order, until the call of the President of the Senate.