

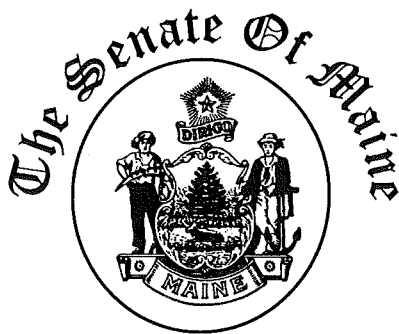
# MAINE STATE LEGISLATURE

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**Senator Beverly C. Daggett**  
Senate President



**Joy J. O'Brien**  
Secretary of the Senate

## **One Hundred and Twenty-First Legislature First Regular Session**

### **Advance Journal and Calendar**

#### **40th Legislative Day**

In Senate Chamber, Monday, April 28, 2003.

Senate called to Order by President Beverly C. Daggett of Kennebec County.

Prayer by Father Paul Plante, St. John the Baptist Church in Winslow.

Pledge of Allegiance led by Senator Betheda G. Edmonds of Cumberland County.

National Anthem performed by Timothy Cilley of St. James School in Biddeford.

Doctor of the day, Richard Dillihunt, M.D. of Portland.

Reading of the Journal of Wednesday, April 16, 2003.

**Joint Resolution**

(4-9) On motion by Senator **TREAT** under unanimous consent on behalf of President **DAGGETT** of Kennebec (Cosponsored by Speaker **COLWELL** of Gardiner and Senators: **BRENNAN** of Cumberland, **DAVIS** of Piscataquis, **GAGNON** of Kennebec, **TREAT** of Kennebec, **WOODCOCK** of Franklin, Representatives: **BRUNO** of Raymond, **DUPLESSIE** of Westbrook, **RICHARDSON** of Brunswick), the following Joint Resolution:

S.P. 543

**JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF  
THE UNITED STATES AND THE CONGRESS OF  
THE UNITED STATES TO ENACT THE AMERICA RX ACT**

WE, your Memorialists, the Members of the One Hundred and Twenty-first Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the Congress of the United States, as follows:

WHEREAS, each day, 65,000,000 Americans have to choose between life-saving medicines and putting food on the table because they lack coverage for prescription drugs; and

WHEREAS, the costs of prescription drugs have risen at an alarmingly rapid rate and in the year 2000 Americans spent \$116,000,000,000 on their prescriptions, a figure expected to triple by the year 2010; and

WHEREAS, prescription drugs provide essential treatment to all our citizens and are the most rapidly growing component of health care in the nation; and

WHEREAS, in the United States, in the absence of any form of national regulation of prices of patented drugs, pharmaceutical manufacturers can and do charge ordinary Americans prices that exceed those charged in any other country in the world; and

WHEREAS, the Legislature of the people of Maine, in good faith and with the best of intentions, created a program that would help the people who needed it most and passed a bill that was the first in the nation to allow the negotiation of prescription drug prices through the use of existing discounts and rebates with drug companies; and

WHEREAS, other states, including Alaska, Arizona, Arkansas, California, Connecticut, Hawaii, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, New Hampshire, New Mexico, New York, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Vermont, Washington and West Virginia, have taken steps to support or emulate the program crafted by the State of Maine; and

WHEREAS, the prescription drug companies, in a concerted effort to discredit this law and to continue to reap billions of dollars in profits, have brought suit against the State of Maine in the courts to have this law declared void; and

WHEREAS, the America Rx Act, based on Maine's program, has been designed to provide access to lower-cost prescription drugs for all Americans who lack adequate coverage; and

WHEREAS, under the America Rx Act, the Federal Government would act as a pharmacy benefits manager to negotiate for lower prescription prices. This approach uses the power of the free market to allow the millions of American citizens with no access to discounts to pool together and negotiate as one block; and

WHEREAS, under the America Rx Act, there is an incentive to ensure that manufacturers negotiate in good faith. If pharmaceutical manufacturers refuse to negotiate, they would no longer be eligible for federal tax deductions for advertising and marketing expenses; now, therefore, be it

RESOLVED: That We, your Memorialists, on behalf of the people we represent and in joining the expressed desire of other states, reaffirm our support for establishing fairer pricing for prescription drugs for all individuals without access to prescription drugs at discount prices by respectfully urging and requesting that the President of the United States and the Congress of the United States take positive steps to enact the America Rx Act; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States, to the President of the United States Senate, to the Speaker of the House of Representatives of the United States and to each member of the Maine Congressional Delegation.

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## REPORTS OF COMMITTEES

### House

#### Divided Report

(5-1) The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Change the Name of the Maine Clean Election Act to the 'Publicly Funded Election Act'"  
H.P. 198 L.D. 243

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

Signed:

Senator:

GAGNON of Kennebec

Representatives:

CLARK of Millinocket  
PATRICK of Rumford  
BLANCHETTE of Bangor  
CANAVAN of Waterville  
JENNINGS of Leeds  
LANDRY of Sanford