

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 676

S.P. 217

In Senate, February 4, 1997

An Act to Make Health Care More Affordable to Small Businesses.

(EMERGENCY)

Reference to the Committee on Banking and Insurance suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator KIEFFER of Aroostook.
Cosponsored by Senator HALL of Piscataquis and
Senators: AMERO of Cumberland, LIBBY of York, Representatives: KNEELAND of Easton,
LANE of Enfield.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

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6 **Whereas,** the cost of mandated health benefits imposed by
enactment of legislation may have a significant financial impact
on businesses operating or wishing to locate in the State,
8 especially small businesses; and

10 **Whereas,** the viability of the business community, especially
small businesses, is vital to the health of the state economy; and

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14 **Whereas,** legislation is immediately necessary that will
require careful consideration of the financial impact of
additional mandated health benefits while permitting such
16 mandates to be imposed by legislation enacted by a 2/3 super
majority; and

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20 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
22 necessary for the preservation of the public peace, health and
safety; now, therefore,

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26 **Be it enacted by the People of the State of Maine as follows:**

28 **Sec. 1. 24-A MRSA §2752, sub-§2,** as enacted by PL 1991, c.
701, §8, is amended to read:

30 **2. Procedures before legislative committees.** Whenever a
legislative measure containing a mandated health benefit is
32 proposed, the joint standing committee of the Legislature having
jurisdiction over the proposal shall hold a public hearing and
34 determine the level of support for the proposal among the members
of the committee. If there is substantial support for the
36 proposed mandate among members of the committee, the committee
may refer the proposal to the Bureau of Insurance for review and
38 evaluation pursuant to subsection 3. A proposed mandate may not
be enacted into law unless review and evaluation pursuant to
40 subsection 3 has been completed and unless enacted as provided in
subsection 4.

42 **Sec. 2. 24-A MRSA §2752, sub-§4** is enacted to read:

44 **4. Legislative enactment.** Enactment of a mandated health
46 care benefit requires a 2/3 vote of the elected members in both
the Senate and the House of Representatives.

48 **Emergency clause.** In view of the emergency cited in the
50 preamble, this Act takes effect when approved.

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SUMMARY

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This bill requires that any future mandated health care benefit must receive a 2/3 vote in both chambers of the Legislature to be enacted.