

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
BANKING AND INSURANCE**

AUGUST 1991

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

| | |
|-----------------------------------|---|
| PUBLIC XXX | <i>Chapter # of enacted Public Law</i> |
| P&S XXX | <i>Chapter # of enacted Private & Special Law</i> |
| RESOLVE XXX | <i>Chapter # of enacted Resolve</i> |
| CON RES XXX | <i>Chapter # of Constitutional Resolution passed by both Houses</i> |
| EMERGENCY | <i>Enacted law takes effect sooner than 90 days</i> |
| CARRIED OVER | <i>Bill carried over to 2nd Session</i> |
| FAILED EMERGENCY ENACTMENT | <i>Bill failed to get 2/3 vote</i> |
| ONTP | <i>Ought Not to Pass report accepted</i> |
| LVWD | <i>Leave to Withdraw report accepted</i> |
| INDEF PP | <i>Bill Indefinitely Postponed</i> |
| DIED BETWEEN BODIES | <i>House & Senate disagree; bill died</i> |
| VETO SUSTAINED | <i>Legislature failed to override Governor's Veto</i> |
| UNSIGNED | <i>Not signed by Governor within 10 days</i> |
| DIED ON ADJOURNMENT | <i>Action incomplete when 1st session ended</i> |

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

LD 181 An Act to Increase Access to Dental Services

LV/WD

| | | |
|----------------------|-------------------------|---------------------------|
| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
| BUSTIN MITCHELL E | LV/WD | |

SUMMARY

This bill increases access to dental services by including dentists within the Rural Medical Access Program as established by Public Law 1989, chapter 931.

LD 198 An Act Establishing a Procedure for Calculating Actual Cash Value under Automobile Insurance Physical Damage Coverage in the Event of Total Loss

ONTP

| | | |
|-------------------|-------------------------|---------------------------|
| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
| GARLAND RAND | ONTP | |

SUMMARY

This bill establishes a procedure for insurers to follow in calculating the actual cash value of a motor vehicle insured for physical damage when in response to a claim the insurer concludes the motor vehicle is a total loss. The bill includes alternative settlement options and requires insurers to fully disclose to the insured any information used in arriving at the settlement offered. An established procedure facilitates prompt settlement of claims in those instances when insureds challenge less than comprehensive insurer valuations.

LD 202 An Act to Improve the Enforcement of the Maine Insurance Code

PUBLIC 26

| | | |
|---|-------------------------|---------------------------|
| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
| BRAWN RICHARDS MITCHELL E KANY | OTP | H-29 MITCHELL |

SUMMARY

This bill requires those persons subject to regulation by the Bureau of Insurance to reply promptly to lawful inquiries of the Superintendent of Insurance unless a good faith reason exists why a response can not be provided. Currently, the bureau's ability to process matters, particularly consumer complaints and inquiries, is impeded by the inability to obtain answers to inquiries quickly and efficiently. Although the necessary information may currently be obtained through either subpoena or formal examination of the licensee, those processes do not represent efficient allocation of limited state resources in many cases.

Failure to comply with the standards established by this bill would result in the levying of penalties by the Superintendent of Insurance as currently authorized pursuant to the Maine Revised Statutes, Title 24-A, section 12-A. Potential penalties range from reprimands to fines to license actions depending on the severity of the violations.

House Amendment "A" (H-29) adds a fiscal note.