

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

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

AUGUST 1991

MEMBERS:

**Sen. Judy C. Kany
Sen. Raynold Theriault
Sen. Linda Curtis Brawn*

**Rep. Elizabeth H. Mitchell
Rep. Phyllis R. Erwin
Rep. Richard H. C. Tracy
Rep. Harriet A. Ketover
Rep. Ruth Joseph
Rep. Anne M. Rand
Rep. Edward L. Pineau
Rep. Joseph A. Garland
Rep. Peter Hastings
Rep. Joseph G. Carleton*

Staff:

Jane Orbeton, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207) 289-1670*

**Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
RON CLARK
RYAN M. DYTTER
BRO FLATEBO
DEBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
KANE ORBETON



KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

**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.

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GILL	OTP-AM	H-28
RICHARDS		
CLARK N		
TRACY		

SUMMARY

Some elderly persons have difficulty in evaluating Medicare supplement insurance policy options, and there have been cases of policy benefit misrepresentation by agents. This bill would permit only a limited number of standard policy options, resulting in greater ease of policy comparison.

Committee Amendment "A" (H-28) adds an allocation section and a fiscal note to the bill.

LD 205 An Act to Facilitate Workers' Compensation Payments to Injured Workers

ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GAUVREAU	ONTP	
ESTY		
RUHLIN		
BUSTIN		

SUMMARY

This bill establishes the Apportionment Disability Fund to pay workers' compensation benefits to injured employees when no dispute exists over the compensability of the employee's injury but 2 or more insurers are disputing their respective responsibility to pay the benefits. This prevents an injured worker from suffering financial ruin when the injury is clearly compensable but an insurer is unwilling to pay the benefits because that insurer believes that another insurer is responsible.

Under the bill, if an employee is totally incapacitated or dies as a result of a work-related injury, the employee or the employee's dependents receive benefits from the fund while the insurers litigate the question of apportionment. When the Workers' Compensation Commission finally resolves the apportionment questions, the insurers are required to reimburse the fund for their respective shares of benefits paid to the employee from the fund. The Apportionment Disability Fund is initially funded by a one-time assessment of 1/4% on actual paid losses of all workers' compensation insurers and self-insurers. No further assessments are necessary since the fund will be reimbursed for expenditures by the insurers.

LD 215 An Act Concerning Employee Benefits for Workers' Compensation Recipients

ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MCHENRY	ONTP	
PINEAU		

SUMMARY

The purpose of this bill is to address the problem created when injured workers are dismissed from employment and lose the employment benefits previously provided by the employer. A particular problem exists when an injured employee loses health insurance coverage and must obtain similar coverage at the employee's expense after the employee's earnings have been reduced.