

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

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

JULY 1997

MEMBERS:

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

Committee Amendment "A" (H-426) renamed and replaced the bill. It proposed to remove the requirement that only a nonprofit continuing care retirement community is exempt from the requirements of the State's certificate of need laws in connection with the development and construction of a skilled nursing facility as part of the continuing care retirement community.

Enacted law summary

Public Law 1997, chapter 478 removes the requirement that only a nonprofit continuing care retirement community is exempt from the requirements of the State's certificate of need laws in connection with the development and construction of a skilled nursing facility as part of the continuing care retirement community.

LD 1150 **An Act to Prohibit Discrimination Based on Genetic Testing Information** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHARTRAND RAND	ONTP	

LD 1150 proposed to define the terms genetic information and genetic test and prohibit health insurance companies from denying coverage or increasing premiums based on genetic testing information. The bill also proposed to allow a person to bring a civil action if the person is denied coverage or if premiums are increased based on genetic testing information.

See related bills LD 1210 and LD 1243.

LD 1185 **An Act to Prohibit the Raising of Interest Rates as a Penalty for Late Payment on Debt** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SKOGLUND KILKELLY	ONTP	

LD 1185 proposed to prohibit a lender from raising credit card interest rates as a penalty for late payments.

LD 1190 **Resolve, Regarding Legislative Review of Chapter 840: Private Purchasing Alliances, a Major Substantive Rule of the Department of Professional and Financial Regulation, Bureau of Insurance** **RESOLVE 14 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-121

LD 1190 proposed to provide for legislative review of Chapter 840, Private Purchasing Alliances, a major substantive rule of the Department of Professional and Financial Regulation, Bureau of Insurance.

Committee Amendment "A" (H-121) proposed to make a format change and add an allocation section and a fiscal note to the resolve.

Enacted law summary

Resolve 1997, chapter 14 authorizes the final adoption of major substantive rule Chapter 840, Private Purchasing Alliances, of the Bureau of Insurance.

Resolve 1997, chapter 14 was enacted as an emergency measure effective April 18, 1997.

LD 1191 **Resolve, Regarding Legislative Review of Chapter 850, Health Plan Accountability, a Major Substantive Rule of the Department of Professional and Financial Regulation, Bureau of Insurance** **RESOLVE 13 EMERGENCY**

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1191 proposed to provide for legislative review of Chapter 850, Health Plan Accountability, a major substantive rule of the Department of Professional and Financial Regulation, Bureau of Insurance.

Enacted law summary

Resolve 1997, chapter 13 authorizes the final adoption of major substantive rule Chapter 850, Health Plan Accountability, of the Bureau of Insurance.

Resolve 1997, chapter 13 was enacted as an emergency measure effective April 14, 1997.

LD 1206 **An Act to Ensure Patient Choice and Access to Health Care by Offering a Point-of-service Plan** **ONTP**

<u>Sponsor(s)</u> SAXL J MILLS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1206 proposed to require health insurers who restrict access to health care providers to allow enrollees to obtain coverage through a point-of-service plan.