

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON INSURANCE AND  
FINANCIAL SERVICES**

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# STATE OF MAINE

123<sup>RD</sup> LEGISLATURE

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## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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:

CON RES XXX.....	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY.....	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

## *Joint Standing Committee on Insurance and Financial Services*

financial institutions. The changes eliminate requirements to approve acquisitions made by federally chartered institutions, and by holding companies that control only federally chartered institutions, of federal and out-of-state financial institutions. Approval is still required if these federal institutions acquire a Maine financial institution. It also reduces the number of criteria required for approval of changes in control of Maine financial institutions so as to make the law consistent with federal law.

9. It clarifies that approval of a plan of reorganization of a mutual holding company must come from a majority of the board of directors and account holders.

10. It allows the Superintendent of Financial Institutions to designate a deputy superintendent to serve on the board of commissioners of the Maine Municipal Bond Bank in place of the superintendent.

The law also makes a technical change to the laws governing municipalities and counties contained in the Maine Revised Statutes, Title 30-A.

**LD 911      Resolve, To Promote Health Care Insurance for Volunteer Public Safety Personnel through the Dirigo Health Program**

**RESOLVE 118**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS STRIMLING	OTP-AM MAJ ONTP MIN	H-470

LD 911 makes persons who act as volunteer firefighters or volunteer emergency services and police personnel for a county, municipality or local government eligible for health care coverage through the Dirigo Health Program. The bill also requires that the Dirigo Health Program pay a subsidy for 100% of the costs of that coverage. The bill gives authority to the Board of Directors of Dirigo Health to increase the amount of the savings offset payment used to fund subsidies for the program if necessary but prohibits the amount from exceeding 4.0% of annual paid claims.

**Committee Amendment "A" (H-470)**

This amendment replaces the bill and changes it to a resolve. The amendment requires the Executive Director of Dirigo Health to conduct an education and outreach initiative designed to promote awareness of the Dirigo Health Program to provide health insurance coverage for volunteer public safety personnel.

**Enacted Law Summary**

Resolve 2007, chapter 118 requires the Executive Director of Dirigo Health to conduct an education and outreach initiative designed to promote awareness of the Dirigo Health Program to provide health insurance coverage for volunteer public safety personnel.

**LD 912      An Act To Return Affordable Health Insurance to the State**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WALKER BOWMAN	ONTP	

LD 912 makes the following changes to the laws governing individual and small group health insurance and Dirigo Health.

Part A of the bill repeals the guaranteed issue and community rating laws for the individual and small group health insurance markets effective January 1, 2010. The bill enacts the Comprehensive Health Insurance Risk Pool Association Act, which will operate as an alternative to guaranteed issuance laws in the individual health

## *Joint Standing Committee on Insurance and Financial Services*

insurance market. The bill requires that the Comprehensive Health Insurance Risk Pool Association begin offering coverage for sale on July 1, 2008. The bill also requires the Department of Professional and Financial Regulation, Bureau of Insurance to apply for federal funds that Congress is offering to states to create high-risk insurance pools.

Part B of the bill repeals the Dirigo Health Act effective January 1, 2009. Part B also corrects cross-references.

### **LD 951 An Act To Amend the Laws Governing Credit Card Companies**

**PUBLIC 99**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY J	OTP-AM MAJ ONTP MIN	S-48

LD 951 prohibits a credit card issuer from refusing to accept or charging a fee for more than one payment on a credit card debt by a cardholder within a one-month period.

#### **Committee Amendment "A" (S-48)**

This amendment is the majority report and replaces the bill. The amendment clarifies that consumers may prepay in part the unpaid balance of a consumer credit transaction without penalty.

#### **Enacted Law Summary**

Public Law 2007, chapter 99 clarifies that consumers may prepay in part the unpaid balance of a consumer credit transaction without penalty.

### **LD 958 An Act To Protect Maine Citizens' Credit**

**ACCEPTED ONTP  
REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIMPSON	ONTP MAJ OTP-AM MIN	

LD 958 prohibits a person who provides medical treatment or a debt collection agency from furnishing information to a consumer reporting agency regarding an amount owed by a consumer for the receipt of necessary medical treatment by the consumer or by a person to whom the consumer has a legal obligation to provide support.

#### **Committee Amendment "A" (H-286)**

This amendment is the minority report of the committee. The amendment prohibits a debt collector or person who provides medical treatment from furnishing information to a consumer reporting agency regarding overdue medical expenses for at least 6 months after the medical treatment is provided. The amendment also requires that the consumer reporting agency be notified if the consumer has been making periodic payments in good faith with the agreement of the debt collector or person who provided medical treatment.

Committee Amendment "A" was not adopted.